

**PB# 95-35**

**MANS, CASEY  
VAILS GATE ANNEX**

**70-1-3**

95 - 35

MANS, CASEY - VAILS GATE ANNEX  
RT. 94 (CUOMO)

*Approved 11/16/99*

Wilson Jones - Carbonless - 51622 - 2W CL Duplicate - 51624 1W CL T. P. 11-11-89  
 555 Union Avenue  
 New Windsor, N.Y. 12550  
 MADE IN U.S.A.  
 © Wilson Jones, 1989

DATE December 11, 1995 RECEIPT NUMBER 95-35  
 RECEIVED FROM Mans Brothers Realty, Inc.  
 Address P.O. Box 247 - Waik's Gate, N.Y. 12584  
Seven Hundred Fifty 00/100 DOLLARS \$ 750.00  
 FOR Site Plan Escrow - Waik's Gate Dairy

ACCOUNT		HOW PAID	
BEGINNING BALANCE	750 00	CASH	
AMOUNT PAID	750 00	CHECK	
BALANCE DUE	- 0 -	MONEY ORDER	

Juan Zappala

BY Mary Mason Secy to the P.B.

TOWN OF NEW WINDSOR  
 555 Union Avenue  
 New Windsor, NY 12550

GENERAL RECEIPT

Dec. 11 1995

Received of Mans Brothers Realty, Inc \$ 100.00  
One Hundred 00/100 DOLLARS

For P.B. # 95-35

DISTRIBUTION

FUND	CODE	AMOUNT
<u>ck # 2308</u>		<u>100.00</u>

By Dorothy H Hansen

Town Clerk

Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Wilson Jones - Carbonless - 51654 - NCR Duplicate - 51671 - NCL TriPLICATE  
 © Wilson Jones, 1989

DATE Nov 16, 1999 RECEIPT 082251  
 RECEIVED FROM Mans Bros Property  
 Address \_\_\_\_\_  
One Hundred 00/100 DOLLARS \$ 100.00  
 FOR P.B. # 95-35

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	<u>ck # 108</u>
AMOUNT PAID		CHECK	<u>100.00</u>
BALANCE DUE		MONEY ORDER	

Town Clerk

BY Dorothy H Hansen

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
HOUSE OF APALACHE PROPS. LTD  
53 ELM STREET  
HUNTINGTON, NY 11743

4a. Article Number  
Z 074 215 041

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)  
P. Porter

6. Signature: (Addressee or Agent)  
X P. Porter

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
BETTINA YOUNGBERG  
12 TRUAX CIRCLE  
NEW WINDSOR, N.Y. 12553

4a. Article Number  
Z 074 215 037

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
4/27/99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
X Bettina Youngberg

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

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**SENDER:**

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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
4 ACRES L.L.C.  
104 SO. CENTRAL AVE  
VALLEY STREAM, N.Y.  
11580-5461

4a. Article Number  
Z 074 215 39

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
4-29-99

5. Received By: (Print Name)  
Jim Baroni

6. Signature: (Addressee or Agent)  
X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
TBS ASSOCIATES INC  
15 EAST MARKET ST  
RED HOOK, N.Y. 12571

4a. Article Number  
Z 074 215 038

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
4/28/99

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
TERRY SCOTT HUGHES  
18 ELLISON DRIVE  
NEW WINDSOR, N.Y. 12553

4a. Article Number  
Z 074 215 040

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
4/30

5. Received By: (Print Name)  
Terry Scott Hughes

6. Signature: (Addressee or Agent)  
X Terry Scott Hughes

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
GREGORY P. BREER  
P.O. BOX 212 - SHIELDS RD.  
CORNWALL, N.Y. 12518

4a. Article Number  
Z 074 215 036

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
4-27-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
X Gregory P. Breer

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

MAN'S BROS REALTY INC  
P.O. Box 247  
VAILS GATE, NY 12553

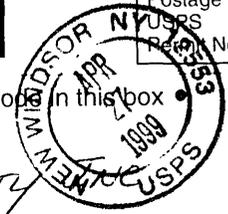
UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

MAN'S BROS. REALTY  
P.O. Box 247  
VAILS GATE, NY 12553



UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

MAN'S BROS. REALTY INC.  
P.O. Box 247  
VAILS GATE, NY 12553

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

MAN'S BROS. REALTY INC  
P.O. Box 247  
VAILS GATE, NY 12553



UNITED STATES POSTAL SERVICE

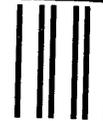


First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

MAN'S BROS. REALTY INC.  
P.O. Box 247  
VAILS GATE, NY 12553

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

MAN'S BROS. REALTY INC.  
P.O. Box 247  
VAILS GATE, N.Y. ~~12553~~  
12584

DELIVERED TO ADDRESSEE  
ZIP CODE

Z 074 215 038

**Receipt for Certified Mail**No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
TGS ASSOCIATES INC	
Street and No	
15 EAST MARKET ST	
P.O., State and ZIP Code	
RED HOOK, NY 12571	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Z 074 215 037

**Receipt for Certified Mail**No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
BETTINA YOUNGBERG	
Street and No	
12 TRILEX CIRCLE	
P.O., State and ZIP Code	
NEW WINDSOR, N.Y 12553	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Z 074 215 036

**Receipt for Certified Mail**No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
GREGORY P. GREER	
Street and No	
P.O. Box 212 - SHIELDS RD	
P.O., State and ZIP Code	
CORNWALL, N.Y. 12518	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Z 074 215 041

**Receipt for Certified Mail**No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
HOUSE OF APACHE PROPS LTD	
Street and No	
53 ELM STREET	
P.O., State and ZIP Code	
HUNTINGTON, NY 11743	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Z 074 215 040

**Receipt for Certified Mail**No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
TERRY SCOTT HUGHES	
Street and No	
18 ELLISON DRIVE	
P.O., State and ZIP Code	
NEW WINDSOR, NY 12553	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Z 074 215 039

**Receipt for Certified Mail**No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to	
4 ACRES L.L.C.	
Street and No	
104 50 CENTRAL AVE	
P.O., State and ZIP Code	
VALLEY STREAM, NY 11580	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/17/1999

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 95-35

NAME: VAILS GATE ANNEX (MANS)

APPLICANT: MANS BROTHERS REALTY, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/16/1999	PLANS STAMPED	APPROVED
05/12/1999	P.B. APPEARANCE - PUB. HEAR	REVISE AND RETURN
02/24/1999	P.B. APPEARANCE	REVISE -SCHED PH
02/03/1999	WORK SESSION APPEARANCE	REVISE & SUBMIT
05/01/1998	SENT REFERRAL TO Z.B.A.	PENDING
03/25/1998	P.B. APPEARANCE	REVISE -REFER TO ZBA
03/04/1998	WORK SESSION APPEARANCE	NEXT AGENDA
01/21/1998	WORK SESSION APPEARANCE	REVISE & RET. TO WS
01/14/1998	P.B. APPEARANCE	CANCELLED BY APPLIC
	. DAVID DENDY FROM P. CUOMO'S OFFICE CAME TO MEETING AND TOLD	
	. THE BOARD THAT THE APPLICANT WANTED TO CANCELL HIS	
	. APPEARANCE FOR THE 1/14/98 MEETING.	
12/03/1997	WORK SESSION APPEARANCE	REVISE PLAN
11/05/1997	WORK SESSION APPEARANCE	REVISE & RET TO WS
01/08/1997	P.B. APPEARANCE	REFER TO Z.B.A.
	. DUE TO MAJOR CHANGES IN PROPOSAL - NEW Z.B.A. REFERAL	
	. REQUIRED.	
01/02/1997	WORK SESSION APPEARANCE	READY FOR MEETING
12/04/1996	WORK SESSION APPEARANCE	READY FOR Z.B.A
12/13/1995	P.B. APPEARANCE	REFER TO Z.B.A.
12/06/1995	WORK SESSION APPEARANCE	SUBMIT
11/06/1906	WORK SESSION APPEARANCE	RETURN TO W.S.

/ /

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/17/1999

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 95-35  
NAME: VAILS GATE ANNEX (MANS)  
APPLICANT: MANS BROTHERS REALTY, INC.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	12/11/1995	EAF SUBMITTED	12/11/1995	WITH APPLIC.
ORIG	12/11/1995	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	12/11/1995	LEAD AGENCY DECLARED	02/24/1999	TOOK L.A.
ORIG	12/11/1995	DECLARATION (POS/NEG)	/ /	
ORIG	12/11/1995	SCHEDULE PUBLIC HEARING	02/24/1999	SCHEDULE PH
ORIG	12/11/1995	PUBLIC HEARING HELD	/ /	
ORIG	12/11/1995	WAIVE PUBLIC HEARING	/ /	
ORIG	12/11/1995	AGRICULTURAL NOTICES	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES

~~4%~~ FEE

2

FOR PROJECT NUMBER: 95-35

NAME: VAILS GATE ANNEX (MANS)

APPLICANT: MANS BROTHERS REALTY, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/15/1999	2% OF \$23,401.28	CHG	468.00		
11/16/1999	REC. CK. #109	PAID		468.00	
		TOTAL:	468.00	468.00	0.00



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 95-35  
NAME: VAILS GATE ANNEX (MANS)  
APPLICANT: MANS BROTHERS REALTY, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/07/1995	REC. CK. #2309	PAID		750.00	
12/13/1995	P.B. ATTY. FEE	CHG	35.00		
12/13/1995	P.B. MINUTES	CHG	31.50		
01/08/1997	P.B. ATTY. FEE	CHG	35.00		
01/08/1997	P.B. MINUTES	CHG	13.50		
03/25/1998	P.B. ATTY. FEE	CHG	35.00		
03/25/1998	P.B. MINUTES	CHG	27.00		
02/24/1999	P.B. ATTY. FEE	CHG	35.00		
02/24/1999	P.B. MINUTES	CHG	54.00		
05/12/1999	P.B. ATTY. FEE	CHG	35.00		
05/12/1999	P.B. MINUTES	CHG	31.50		
11/15/1999	P.B. ENGINEER FEE	CHG	372.00		
11/16/1999	RET. TO APPLICANT	CHG	45.50		
		TOTAL:	750.00	750.00	0.00

11/16/99 L.R.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES  
APPROVAL

FOR PROJECT NUMBER: 95-35  
NAME: VAILS GATE ANNEX (MANS)  
APPLICANT: MANS BROTHERS REALTY, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/15/1999	SITE PLAN APPROVAL FEE	CHG	100.00		
11/16/1999	REC. CK. #108	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/23/1999

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 95-35

NAME: VAILS GATE ANNEX (MANS)  
APPLICANT: MANS BROTHERS REALTY, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV4	06/18/1999	MUNICIPAL HIGHWAY	06/21/1999	APPROVED
REV4	06/18/1999	MUNICIPAL WATER	06/21/1999	APPROVED
REV4	06/18/1999	MUNICIPAL SEWER	/ /	
REV4	06/18/1999	MUNICIPAL FIRE . ESTABLISHMENT OF FIRE LANES AND FIRE DEPT. . AND REAR OF PROPERTY NOT SHOWN	06/21/1999	DISAPPROVED
REV3	04/20/1999	MUNICIPAL HIGHWAY	04/30/1999	APPROVED
REV3	04/20/1999	MUNICIPAL WATER	04/27/1999	APPROVED
REV3	04/20/1999	MUNICIPAL SEWER	05/03/1999	APPROVED
REV3	04/20/1999	MUNICIPAL FIRE	04/27/1999	APPROVED
REV2	03/05/1998	MUNICIPAL HIGHWAY	03/05/1998	APPROVED
REV2	03/05/1998	MUNICIPAL WATER	03/06/1998	APPROVED
REV2	03/05/1998	MUNICIPAL SEWER	03/15/1999	APPROVED
REV2	03/05/1998	MUNICIPAL FIRE	04/20/1999	SUPERSEDED BY REV3
REV1	12/05/1997	MUNICIPAL HIGHWAY	12/09/1997	APPROVED
REV1	12/05/1997	MUNICIPAL WATER	12/10/1997	APPROVED
REV1	12/05/1997	MUNICIPAL SEWER	03/05/1998	SUPERSEDED BY REV2
REV1	12/05/1997	MUNICIPAL FIRE	12/05/1997	APPROVED
ORIG	12/07/1995	MUNICIPAL HIGHWAY	12/05/1997	SUPERSEDED BY REV1
ORIG	12/07/1995	MUNICIPAL WATER	12/12/1995	APPROVED
ORIG	12/07/1995	MUNICIPAL SEWER	12/05/1997	SUPERSEDED BY REV1
ORIG	12/07/1995	MUNICIPAL FIRE	12/11/1995	APPROVED

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/23/1999

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
O [Disap, Appr]

FOR PROJECT NUMBER: 95-35  
NAME: VAILS GATE ANNEX (MANS)  
APPLICANT: MANS BROTHERS REALTY, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
05/12/1999	P.B. APPEARANCE - PUB. HEAR	REVISE AND RETURN
02/24/1999	P.B. APPEARANCE	REVISE -SCHED PH
02/03/1999	WORK SESSION APPEARANCE	REVISE & SUBMIT
05/01/1998	SENT REFERRAL TO Z.B.A.	PENDING
03/25/1998	P.B. APPEARANCE	REVISE -REFER TO ZBA
03/04/1998	WORK SESSION APPEARANCE	NEXT AGENDA
01/21/1998	WORK SESSION APPEARANCE	REVISE & RET. TO WS
01/14/1998	P.B. APPEARANCE . DAVID DENDY FROM P. CUOMO'S OFFICE CAME TO MEETING AND TOLD . THE BOARD THAT THE APPLICANT WANTED TO CANCEL HIS . APPEARANCE FOR THE 1/14/98 MEETING.	CANCELLED BY APPLIC
12/03/1997	WORK SESSION APPEARANCE	REVISE PLAN
11/05/1997	WORK SESSION APPEARANCE	REVISE & RET TO WS
01/08/1997	P.B. APPEARANCE . DUE TO MAJOR CHANGES IN PROPOSAL - NEW Z.B.A. REFERRAL . REQUIRED.	REFER TO Z.B.A.
01/02/1997	WORK SESSION APPEARANCE	READY FOR MEETING
12/04/1996	WORK SESSION APPEARANCE	READY FOR Z.B.A
12/13/1995	P.B. APPEARANCE	REFER TO Z.B.A.
12/06/1995	WORK SESSION APPEARANCE	SUBMIT
11/06/1996	WORK SESSION APPEARANCE	RETURN TO W.S.

/ /



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. MCGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK NEW JERSEY  
and PENNSYLVANIA

- Main Office**  
45 Quassaick Ave (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
e-mail: mheny@att.net
- Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhempa@ptd.net

**MEMORANDUM**

**9 November 1999**

**TO: MYRA MASON, P.B. SECRETARY**

**FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER**

**SUBJECT: VAILS GATE RENTAL ANNEX (MANS) SITE PLAN (P.B. # 95-35)**

I have received and reviewed the plan and improvements cost estimate for the subject project.

Attached hereto is a corrected site improvements estimate which totals \$23,401.28, which results in an inspection fee of \$ 468.

Also attached is a printout of our time for review of the project. If you require any additional information please contact me.

Myra110999.doc

*Check #1 \$100.00 Approval*  
*# 2 \$468.00 Inspect.*



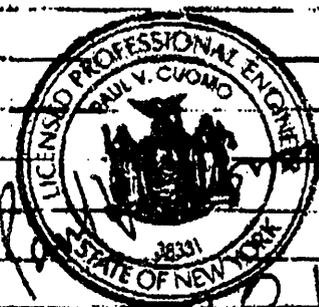
CUOMO ENGINEERING  
2008 D ST. #704  
STEWART INTERNATIONAL AIRPORT  
NEW WINDSOR, NY 12553

567-9145

AUGUST 27, 1999

ESTIMATE FOR  
VALE GATE RENTALS  
AND POWER ANNEX INC.

	QUANTITY	UNIT PRICE	TOTAL
1. ASPHALT PAVING	16,344 sq. ft.	\$ 1.12 sq. ft.	\$ 18,305.28 ✓
2. Site Lighting			\$ 2,100 ✓
3. STRIPING AND SPACE DELINEATION	12 SP.	\$ 800 SP.	\$ 9,600.00 ✓
4. Shore vehicle storage area			\$ 2,500 ✓
5. HANDICAP PARKING SIGN AND DELINEATION	1 SP.	\$ 100.00 SP.	\$ 100.00 ✓
6. Fire lane signs	2 @ 75		\$ 150 ✓
7. Fire Lane Striping			\$ 150 ✓
<b>GRAND TOTAL</b>			<b>\$ 23,401.28</b>



20 1999

290 fee \$ 468

RECEIVED OCT 20 1999

AS OF 11/09/99

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NLWIN - TOWN OF NEW WINDSOR

TASK: 95 35

FOR WORK DONE PRIOR TO: 11/09/99

TASK NO	R/C	DATE	TRAN	EMPI	ACT DESCRIPTION	RATE	HRS.	TIME	DOLLARS		
									EXP.	BILLED	BALANCE
95-35	140959	02/03/99	TIME	MJE	WS MANS ANNEX	75.00	0.40	30.00			
95-35	141397	02/23/99	TIME	MCK	CL VLS GATE RNTLS: TRC	28.00	0.50	14.00			
95-35	142004	02/23/99	TIME	MJE	MC MANS ANNEX	75.00	0.50	37.50			
95-35	142629	03/04/99	TIME	MJI	MC PVC RE MANS 32	75.00	0.20	15.00			
								96.50			
75-35	143076	03/15/99			BILL 99-282					81.50	
										-81.50	
95-35	148840	05/11/99	TIME	MJE	MC MANS VAILS GATE S/P	75.00	0.40	30.00			
95-35	148506	05/12/99	TIME	SAS	CL VAILS GT RENT/TRC	28.00	0.50	14.00			
95-35	148850	05/12/99	TIME	MJI	MC MANS VAILS GATE S/P	75.00	0.20	15.00			
95-35	150626	06/02/99	TIME	MJE	WS MANS VG S/P	75.00	0.40	30.00			
95-35	152665	06/16/99	TIME	MJE	WS CASEY MANS VG S/P	75.00	0.40	30.00			
95-35	152711	06/21/99	TIME	MJI	MC MANS SITE PLAN	75.00	0.50	37.50			
95-35	152520	06/22/99	TIME	MCK	CL VAILS GATE RLNT TRC	28.00	0.50	14.00			
95-35	152713	06/22/99	TIME	MJE	MC MANS SITE PLAN	75.00	0.10	7.50			
95-35	151858	06/23/99	TIME	MJE	MM Mans Cond S/P APP	75.00	0.10	7.50			
								185.50			
95-35	151032	06/14/99			BILL 99-615					104.00	
95-35	154735	07/15/99			BILL 99-683					96.50	
										200.50	
95-35	162589	09/30/99	TIME	MJE	MC MANS SP BOND/PLN RVW	75.00	0.50	37.50			
								37.50			
95-35	162801	10/14/99			BILL 99-981					-37.50	
										-37.50	
95-35	165341	11/09/99	TIME	MJI	MC Mans Cost Est & Clos	75.00	0.70	52.50			
					TASK TOTAL			372.00	0.00	319.50	52.50
					GRAND TOTAL			372.00	0.00	319.50	52.50



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

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and PENNSYLVANIA

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e-mail: mheny@att.net
- Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@pld.net

**MEMORANDUM**

**(via fax)**

**30 September 1999**

**TO: MYRA MASON, P.B. SECRETARY**

**FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER**

**SUBJECT: MANS VAILS GATE ANNEX SITE PLAN (P.B. # 95-35)**

Reference the subject site plan, same received conditional approval on 23 June 1999. I received the final plan and found one error. The note on the front parking was to correspond to the ZBA condition of approval. They required that only two-axle passenger vehicles could be in front of the buildings. The note needs to add "two-axle" which is missing.

Regarding the cost estimate, I am attaching hereto a corrected estimate, which adds in the light fixtures and adds fire lane signs have been added.

Once you receive the corrected plan, please advise me if you need a re-review. At that time I will forward a final time billing printout.

Myra093099a.doc



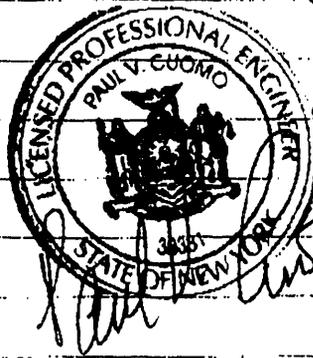
CUOMO ENGINEERING  
2006 D ST. #704  
STEWART INTERNATIONAL AIRPORT  
NEW WINDSOR, NY 12553

56 145

AUGUST 27, 1999

ESTIMATE FOR  
VAILS GATE RENTALS  
AND POWER ANNEX INC.

	QUANTITY	UNIT PRICE	TOTAL
ASPHALT PAVING	16,344 sq. ft.	\$ 1.12 sq. ft.	\$ 18,305.28
STRIPING AND SPACE DELINEATION	12 sp.	\$ 8.00 SP	\$ 96.00
HANDICAP PARKING SIGN AND DELINEATION	1 sp.	\$ 100.00 SP	\$ 100.00
Fire lane signs	2 @ 75		\$ 150
GRAND TOTAL			<del>\$ 18,501.28</del> 18,651.28

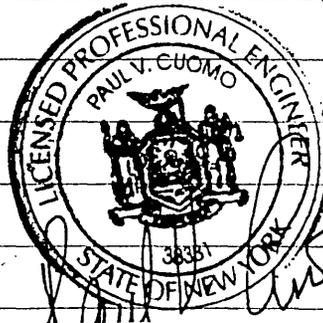


AUGUST 27, 1999

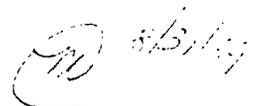
ESTIMATE FOR  
VAILS GATE RENTALS  
AND POWER ANNEX INC.

	QUANTITY	UNIT PRICE	TOTAL
ASPHALT PAVING	16,344 sq. ft.	\$ 1.12 sq. ft.	\$ 18,305.28
STRIPING AND SPACE DELINEATION	12 sp.	\$ 8.00 sp.	\$ 96.00
HANDICAP PARKING SIGN AND DELINEATION	1 sp.	\$ 100.00 sp.	\$ 100.00

GRAND TOTAL \$ 18,501.28



Mack - This is the intent plan  
and cost estimate for Vails - V.G.  
Annex. If all is ok - I need  
your files



REGULAR ITEMS:

MANS, CLARENCE SITE PLAN (95-35) VAILS GATE ANNEX

Philip Schnabel, Esq. and Mr. Paul Cuomo appeared before the board for this proposal.

MR. PETRO: Convert existing building to office space.

MR. LANDER: Did we see this before?

MR. CUOMO: Yes.

MR. LUCAS: Was there a public hearing?

MR. CUOMO: We had a public hearing.

MR. SCHNABEL: May 12 was the public hearing and you told us to come back because there was certain things that you wanted put on the site plan, ZBA concerns and the light locations.

MR. PETRO: We didn't do final approval, I thought this was done, no?

MR. CUOMO: No, the thing was ZBA had some requests for the notes on here.

MR. STENT: ZBA has a request for notes and you came back to us at the planning board meeting with the ZBA requests, we went through it, I thought we gave you approval going to Mark.

MR. PETRO: Here's what we had, let me read it, need light on pole to point away from the house or homes. Number 2 is need ZBA notes on the plan.

MR. CUOMO: That we did up in here, these are the notes.

MR. PETRO: Need parking detail.

MR. CUOMO: Paul the marking details down, they are--

MR. PETRO: Unfortunately, in the meantime, John

McDonald is doing the fire review and this has been disapproved. You have two reasons why we need to establish fire lanes and fire department access to front and number 2 and the rear of property not shown access. Establish fire lanes, fire department access to front and rear of property not shown. One item each.

MR. SCHNABEL: If I can make a comment, Mr. Petro, Phil Schnabel representing Mans. I got a call from Mr. Mans this morning while I was working out which is a no-no, you know, don't interrupt me when I'm working out, but anyway, about this fire lane thing, so I looked up the Town Ordinance and Section 44-10 defines parking area for fire lanes as being one acre, at least one acre in area. And the area here is 27,921 square feet, considerably less than one acre, so I don't see why fire lanes would have to be delineated on something that that does not come within the purview of Section 44-10.

MR. LANDER: Well, I think just so that you can get back, he's got 13 parking spaces back here, just have it so that we can get passed the office, if there was a car on fire to get back there.

MR. SCHNABEL: I think there is 25 feet.

MR. LANDER: To remedy that, put striping or no parking signs on that part of the building and they can come through that part of the building.

MR. ARGENIO: I don't think that's too much to ask, do you?

MR. SCHNABEL: No, my understanding is that you wanted marked fire lanes and I don't see where that comes within the purview of the statute.

MR. CUOMO: We've got room.

MR. SCHNABEL: There's no question that they have room for access 25 feet.

MR. LANDER: He's only looking for striping.

MR. SCHNABEL: Striped no parking not fire lane striping, the way I understand it.

MR. LANDER: Fire lane striping is only he wants access to the back.

MR. PETRO: You're saying that it's not required in the first place under one acre, is what you're saying?

MR. SCHNABEL: If you want to see the--

MR. PETRO: No.

MR. ARGENIO: Can I see that? I'd like to see that.

MR. CUOMO: We can remedy that by just putting in I think he's going to want a fire lane.

MR. SCHNABEL: Striping or put something down no parking.

MR. PETRO: Look, there's two ways to approach this.

MR. SCHNABEL: I just want to get it over with.

MR. PETRO: Let me speak my piece, okay, you can say that it's not required, and we can go back on forth and argue that for a few meetings or you can say to the board that we'll put no parking fire lane with some writing in the middle of that tell Mr. McDonald that's what the case is and have the thing just done.

MR. SCHNABEL: Fine.

MR. PETRO: You may be right, why not do what he wants?

MR. LANDER: It's in his purview, John McDonald, this is what he's looking for, Phil has to talk to him on it, we're just trying to get this thing done.

MR. SCHNABEL: I'll go any way we can get this approved, we'll agree to.

MR. LUCAS: It will be contingency, too.

MR. PETRO: Mark, did you have anything else?

MR. EDSALL: No, they've done everything that we have asked. Paul's modified the plans. If that's the only outstanding issue, maybe you can consider conditional approval.

MR. PETRO: Let's see what's left. We need a motion, gentlemen, for negative dec.

MR. LUCAS: Make it.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Vails Gate Rentals Inc. site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Now, we're going to have one subject to the light was taken care of, I don't want to get into bonding estimate submitted and that would be a subject to and the other subject to is that you're going to receive an approval from the New Windsor Fire Department inspector's office and how you manage that is going to be up to you as the applicant. We're suggesting that you get a code book and if you want some striping or lettering or signs, do what you want, the applicant's in agreement with that? I'll take a motion with the subject-to's.

MR. LUCAS: Make it.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made the the New Windsor Planning Board grant final approval to the Vails Gate rentals and Power Annex Inc. site plan on Route 94. Is there any further discussion? Once again, the subject-to's are enforced for this final approval. Hearing nothing else, we'll do a roll roll.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

RESULTS OF MEETING OF: June 23, 1998

PROJECT: Casey Mann

P.B.# 95-35

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y\_\_ N\_\_

M) U S) U VOTE: A 5 N 0

2. TAKE LEAD AGENCY: Y\_\_ N\_\_

CARRIED: YES  NO\_\_

M) \_\_ S) \_\_ VOTE: A \_\_ N \_\_

CARRIED: YES \_\_ NO \_\_

WAIVE PUBLIC HEARING: M) \_\_ S) \_\_ VOTE: A \_\_ N \_\_ WAIVED: Y\_\_ N\_\_

SCHEDULE P.H. Y\_\_ N\_\_

SEND TO O.C. PLANNING: Y\_\_

SEND TO DEPT. OF TRANSPORTATION: Y\_\_

REFER TO Z.B.A.: M) \_\_ S) \_\_ VOTE: A \_\_ N \_\_

RETURN TO WORK SHOP: YES \_\_ NO \_\_

APPROVAL:

M) \_\_ S) \_\_ VOTE: A \_\_ N \_\_ APPROVED: \_\_\_\_\_

M) U S) A VOTE: A 5 N 0 APPROVED CONDITIONALLY: 6-23-99

NEED NEW PLANS: Y\_\_ N\_\_

DISCUSSION/APPROVAL CONDITIONS:

<u>Sect 44-10 (1 acre)</u>
<u>Need Bond Est</u>
<u>Need fire Insp. Approval</u>



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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Milford, Pennsylvania 18337  
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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 95-35  
WORK SESSION DATE: 2 JUNE 99 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: new plans  
PROJECT NAME: ~~Beaumont~~ Mani U.G.  
PROJECT STATUS: NEW X OLD \_\_\_\_\_  
REPRESENTATIVE PRESENT: PVC  
MUNIC REPS PRESENT: BLDG INSP. \_\_\_\_\_  
FIRE INSP (port surgery lobby) \_\_\_\_\_  
ENGINEER X \_\_\_\_\_  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- slide two side light poles to rear, add one in front of pkg lot.
- PVC will get copy of restrictions to Physca

CLOSING STATUS

- Set for agenda
- possible agenda item
- Discussion item for agenda
- ZBA referral on agenda

pbwsform 10MJE98

REGULAR ITEMS:

CLARENCE MANS - VAILS GATE ANNEX (95-35)

Mr. Paul Cuomo appeared before the board for this proposal.

MR. CUOMO: We have gone to the Board of Appeals for two business offices and we had a set of things we had to get here as you can see here, C.P. Mans, we have requested for lot area variance, we've got 27 front yard, 34 feet total side yard barrier, established sales office only south side of Route 94 in a C zone, we have two offices going in, its not a caretaker apartment.

MR. PETRO: So, your request tonight should be for two offices?

MR. CUOMO: Two offices on the first, one on the second.

MR. STENT: Did your original application show for an apartment up there?

MR. CUOMO: Yes, but that, we went to the Zoning Board of Appeals, we retracted that request with the Zoning Board of Appeals and they granted our request for two offices plus all the other variances.

MR. LUCAS: What were you granted?

MR. PETRO: Just what's on the plan, well, the business offices are legal as far as the site, it's in a business area, so we didn't have to get a board of appeals for that. Board may wish to question the balance of the paved area as being used for what approximately 1/3 is not part of the required parking area, so the balance of your property 1/3 of the property storage for recreational, motor vehicle and mobile home sales and used car sales and accessory uses, in other words, you're going to park whatever you want?

MR. CUOMO: Recreational vehicles.

MR. LANDER: Used cars, Mr. Chairman.

MR. CUOMO: Possibly, yeah.

MR. LANDER: Let me ask the applicant or representative if we're going to have motor home sales, used car sales and they are going to be parked back here? Are people going to be walking back here? I would imagine customers are going to.

MR. PETRO: According to number B, plan indicates this area also going to be used for accessory uses, the board may wish to discuss that which is what they are doing.

MR. LANDER: My point is we have the limits of paving here, if the general public is going to be back here to take a look at these cars and motor homes, mobile homes, then that has to be paved, also, if they are not going to be back there, if it's just going to be used for storage, we're going to have to limit their access to this, if they are going to remain as shale.

MR. LUCAS: Where is the office?

MR. CUOMO: The office is up there, are you having people to come back there and look at the trailers?

MR. MANS: Primarily, the rear portion of that is primarily going to be used for storage of units that aren't for sale on the property.

MR. CUOMO: Units across the street where the people come to look at the units across the street for buying purposes.

MR. LANDER: By the post office?

MR. CUOMO: Yeah.

MR. LANDER: Now, if you're going to store vehicles back here and motor homes, I don't have a problem with shale, but if people are going to have to walk around these things and look at them, it's always a paved

area.

MR. CUOMO: I don't think that's the case here.

MR. MANS: No, the forward portion of the lot will be for sales, for view and that sort of thing, that's why we brought the pavement back as far as we did. The rest is compacted shale for storage of vehicles that won't be brought forward for sale.

MR. CUOMO: We also like to leave that as shale for drainage purposes, too, we feel that if that whole lot gets paved, I'm going to have too much water accumulating and I can't get the water out of there. I did some drainage studies, right.

MR. PETRO: You have existing 18 inch drainage pipe going through the property, it would be nothing to--but you're only using it for storage, that's what you're telling the board.

MR. MANS: Front portion will be for sales and the rear portion compacted shale area will be for mainly for storage and vehicles that aren't ready to be retailed.

MR. PETRO: Add to the plan please take some notes here, please, no retail in this area, no public access. Can you put it on the plan?

MR. LANDER: Are we going to put a fence up, Mr. Chairman, to keep people from going back there?

MR. PETRO: They can put a fence and put a double wide gate with the gate open.

MR. LANDER: Mr. Mans, both of these buildings are on this property right now?

MR. MANS: Yes.

MR. PETRO: Storage for recreational and not for retail use and/or public access.

MR. MANS: There's an open spot between the two buildings right now and that would be enclosed with a

deck up on top, stairway up the back from the south side and then it would be an entryway into the east side of the building. There's a window there right now, just be enlarged and that would be--

MR. PETRO: How does this drainage come off this lot, sheet flow?

MR. CUOMO: Sheet flow comes back, it comes back to the, it's sheet flow right back into this swale here, that's why I'm hesitant of putting any pavement down here because the sheet flow is too much and it will block up the swale.

MR. LANDER: Paul is absolutely right, there's always been a problem on the rear of all these properties here, not only Mr. Mans' property, but the whole section down through here, the further you go north on 94, as you can see, there's a 15 foot drainage easement, there was always a problem with water there, I agree, that the shale should remain, but if the public is allowed back there, then it's going to have to be paved, then they'll have to pipe it someplace.

MR. CUOMO: He asked me to put a note here, Ron, not for public use back there.

MR. PETRO: Not accessible to the public.

MR. STENT: Where is the display area going to be for the vehicles that are for sale?

MR. CUOMO: This is across the street in the front portion.

MR. PETRO: Let's talk about lighting on the lot, how is this lot illuminated?

MR. MANS: This is normally not going to be used during the nighttime hours anyhow.

MR. LANDER: So the lot will be closed at a certain time?

MR. MANS: Dawn to dusk.

MR. LANDER: As soon as the lights come on, we go home.

MR. MANS: Right.

MR. LANDER: 1 through 13, that's for people that are coming to the two story office building here and your employees will park in some of those spots, I would imagine?

MR. CUOMO: Yeah, in the back here.

MR. LANDER: Where is the dumpster on this site, is there a dumpster?

MR. MANS: No, there's no dumpster really won't be a need for a dumpster, there's city garbage there.

MR. LANDER: Town picks it up, right?

MR. PETRO: I want to see some lighting put on the plan, just because Mr. Mans owns it now, he can sell it and next person would want to use it at night, then there won't be any lights. I don't see where that's good planning. So we have to have the parking lot lit where the public is going to be, I don't care about the storage area.

MR. LANDER: We want that so that doesn't interfere with the people that leave directly behind there.

MR. PETRO: Limits of paving, that's correct, lit up, and the front, obviously, we have to keep in mind what Mr. Lander has said, we have to use lighting as such not to disturb the neighbors.

MR. CUOMO: Oh, yeah.

MR. PETRO: So you have to check in your books, find out what kind of direct lighting you might want to use.

MR. CUOMO: We can probably put some lights off the building.

MR. PETRO: I'm sure you can use a couple wall packs,

but that looks like a large area, it's not going to light up the parking spot 12 and 13.

MR. LANDER: You might need a pole in the back somewhere.

MR. CUOMO: We'll figure it out.

MR. PETRO: Look at it and come up with a solution, do you understand why we're doing that?

MR. MANS: Right, but I mean it's basically like right now we're just dawn to dusk.

MR. PETRO: But you could decide you want to open in the evening and there's no lights, you could sell it, there'd be no lights, there's a lot of different variables.

MR. LUCAS: South side's got Monro Muffler, on the north side says Greer.

MR. CUOMO: That's a car, he refurbishes.

MR. PETRO: He came to us, Mike.

MR. CUOMO: He has a very classy operation.

MR. LUCAS: Any type of screening?

MR. PETRO: Same type of business.

MR. LANDER: Is there a fence running along the property line now?

MR. MANS: Yes, there is, between the two properties.

MR. PETRO: Mark, as far as engineering comments, do you have anything left?

MR. EDSALL: No, you just have to be clear as to what you want to have me look for at the workshop to be added at the plan. I understand you want lighting, I'll look for that. Anything else?

MR. PETRO: I think the drainage, we all somewhat agree with him, I think we can leave that alone because that is not that much to start with and if he has to start putting in new culverts, just leave that alone.

MR. STENT: With municipal garbage, he's not required to put in a dumpster?

MR. LANDER: I don't think so. Mr. Babcock, can you answer that one being in a commercial zone, does he need a dumpster for his garbage?

MR. BABCOCK: It's not a requirement when you have an office, you usually have pretty light garbage, it's not a restaurant where you're having heavy garbage pickup, so I'm sure an office space could handle it with a garbage can, as long as they are behind the building.

MR. LANDER: We have treated it that way in the past.

MR. PETRO: The parking space for the handicapped, Paul, has to be corrected to show, take mark's notes, blue paint instead of the white paint, Paul, you have extra notes. Other than that, I don't see much of a problem, as far as the, we should make a motion for lead agency.

MR. STENT: Declare ourselves lead agency.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for Mans - Vails Gate Annex.

ROLL CALL

MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. LANDER: As far as public hearing, we'd be asking for a firing squad, if we didn't have one here because of the drainage problems that the people have endured

for years, I'm sure they want to be notified of anything that's coming.

MR. LUCAS: And the lights, too, they'd be concerned about that.

MR. PETRO: We know you just went through a public hearing at the Zoning Board, correct?

MR. CUOMO: Yes, we did there was nobody there.

MR. LANDER: Nobody showed up?

MR. CUOMO: No.

MR. LANDER: Well--

MR. STENT: What's happening here, too, Ron, you have a dealership next door, you have detail shop, you have a muffler shop.

MR. KRIEGER: If you remember when Greer was in front of the board, they did have people appear and they, this individual was the individual with whom they were primarily concerned once it was explained what the status was.

MR. LANDER: I think a lot of people when they see the Zoning Board notice go out for a public hearing, so what, it's only for the Zoning Board, he has to go through Planning Board, we'll wait for that meeting, I think a lot of people look at it that way.

MR. PETRO: Motion to set up a public hearing.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board determine that a public hearing will be held for this site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT                    AYE  
MR. LANDER                  AYE  
MR. LUCAS                   AYE  
MR. PETRO                   AYE

MR. LANDER: Mr. Mans, the rear of this property there's a fence that goes across the rear of the property too, is there?

MR. MANS: No, there's no fence across the rear of the property.

MR. LUCAS: Is there any type of screening?

MR. MANS: There's natural trees and so forth.

MR. PETRO: Paul, get to the workshop and get that lighting plan set up first before we have a public hearing so we know what we're talking about.

MR. CUOMO: I'll have the plan in place by that time.

MR. PETRO: That's correct, so we can schedule for a public hearing, as long as you have everything done because basically, I think that's really all we're adding.

MR. LANDER: Two hundred square feet that you see between these two buildings here, that's going to be closed in, I don't know if everybody heard that before because there was another discussion going on but that 200 feet is going to be closed in, you'll be able to access the 16 x 24.

MR. PETRO: We didn't get the computer stuff from the fire department.

MS. MASON: Yes, we have fire.

MR. PETRO: We have fire approval and water and highway, okay.

MR. LANDER: You're not changing anything out in front

as far as DOT is concerned, right?

MR. CUOMO: No, no, everything stays the same.

MR. BABCOCK: Jim, one question that comes up on the plan says recreational motor vehicle mobile home sales, used car sales and accessory uses, we just need maybe Paul to define what an accessory use is going to be, I don't know what in your mind why that says accessory uses or what uses you would want to use back there. Are you going to have a hot dog truck back, there you know what I mean, accessory use?

MR. PETRO: You've got everything covered he can possibly do, just remove that.

MR. CUOMO: We'll take out accessory uses, we don't need that.

MR. PETRO: Add my note, right?

MR. CUOMO: Yeah.

MR. LANDER: Just one more thing, 18 inch CMP, is that storm sewer?

MR. CUOMO: Yes. Ask him.

MR. LANDER: Eighteen inch CMP, is that storm sewer?

MR. MANS: Yes, well it's an underground pipe that there was a natural ditch there and we put a pipe in connected it through.

MR. LANDER: That does work?

MR. MANS: To my knowledge it does.

MR. EDSALL: Ron, I don't know that.

MR. MANS: The water gets away there quite well, a lot of the drainage that's coming down from the southerly slope there, the watershed, most of the water that they get back there when they have heavy rains and that sort of thing comes from the southerly slope behind these

houses across the street.

MR. LANDER: Comes down the road, but has no place to go, but it sits in your back yard and their back yard.

MR. MANS: That's correct, but there's a swale down through there that pretty well handles it, they've had greater problems prior to, I mean years ago, but we filled and there's a swale back there that pretty well takes care of it.

MR. LANDER: I know you had addressed the problem years ago when this problem first came up and then the town took some steps to alleviate some of the water also.

MR. MANS: Right.

MR. PETRO: What did you want to ask the board?

MR. MANS: The other item that I wanted to clarify it says apartment there, is there objections to an apartment instead of an upstairs office?

MR. STENT: He's got zoning approving for offices.

MR. CUOMO: You don't need zoning for the offices, you need zoning for the apartment.

MR. PETRO: What does your variance say on the plan?

MR. BABCOCK: No, they'd need a different variance if they put an apartment.

MR. CUOMO: This is an error, not an error, just that it was left over.

MR. PETRO: Does it say apartment on there or--

MR. STENT: It says offices on there.

MR. PETRO: Then that's what goes there, then you can't have an apartment.

MR. STENT: Cause we questioned you about that in the beginning, caretaker apartment.

MR. CUOMO: Well, no, we changed our application with the Zoning Board.

MR. STENT: You withdrew and made it into offices?

MR. CUOMO: Yes.

MR. STENT: That's what I'm saying to Mr. Mans now.

MR. MANS: I asked a question because it was on the agenda.

MS. MASON: Because you didn't change the application to the Planning Board.

MR. CUOMO: We didn't change the application to the Planning Board, that's the reason.

MR. PETRO: Anything else?

MR. CUOMO: No, that's it.

MR. PETRO: When you're ready, we'll be ready for the public hearing, okay.

PUBLIC HEARINGS:MANS, CLARENCE - VAILS GATE ANNEX SITE PLAN (95-35)

Philip Schnable, Esq. and Mr. Paul Cuomo appeared before the board for this proposal.

MR. PETRO: If anyone here wishes to speak, the board is going to review it first. Once we have done so, we're going to open it up to the public for comment and you'll be recognized by myself. This application was reviewed at the 13 December, 1995, 8 January, 1997, 11 March, 1998 and 24 February, 1999 Planning Board meeting.

MR. SCHNABEL: Phil Schnabel representing Mans. We got a ZBA variance approval on January 11, 1999. The ZBA's concerns which we addressed were the concern over lighting. ZBA did not want any lighting in the lot because of the residential area that's immediately adjacent to the south of the property. And the drainage, the drainage was addressed by the installation of blacktop for approximately 100 feet, 90 feet of gravel which, and crushed shale, which would be better drainage than having asphalt and vegetation that's there now and a 15 foot ditch at the south end of the property for drainage purposes where no vehicles could be parked and no use could be made of that area. Another condition that the ZBA put on their approval of the variance was that there were to be no recreational vehicles parked on the street side, on the Route 94 side of the property because that would create a site line hazard and all those conditions were agreed to and that's how we got the approval through the ZBA. And now we're here to try and get final approval for the site plan so we can start doing whatever has to be done to improve the area. The structure which will improve the appearance of the area and will alleviate much of the congestion that was a concern of the Town's, especially on Route 94 and Old Temple Hill Road where there was a sight line problem which we have addressed at this point, but if we can get the final site plan approval, it will considerably alleviate any future problems at that location.

MR. PETRO: We have a couple of housekeeping notes that were to be corrected, such as accessory use of this to be removed from the plan, Mark's comment 2A and it's still on the plan that needs to be corrected accessory uses in the back area storage. Paul, do you see that?

MR. CUOMO: Yes.

MR. PETRO: Needs to be removed from the plan.

MR. CUOMO: Okay.

MR. PETRO: Also needs to note that no public access or retail sales for the rear storage area. And C goes back to the lighting, I'm a little taken back that the Zoning Board can tell you they don't want any lighting being that is a Planning Board function.

MR. SCHNABEL: I understand that but when I first appeared before the ZBA at the preliminary hearing, they said that that was one of their primary concerns that we would not have lighting there, so I said okay, you know, we wanted to get a ZBA variance, I certainly don't want to get into a match between the ZBA and the Planning Board.

MR. PETRO: And he's also the attorney for the ZBA.

MR. SCHNABEL: I know he was there, he knows what happened, that's for sure.

MR. KRIEGER: As a word of clarification, first of all, the Zoning Board's concern was the same as the concern that I've heard members of this board voice and that is they don't want lighting when there's an adjacent residential area to interfere with the residents. As I recall, a number of residents appeared and that was their concern. Also, they took into account the fact that the last part of the property had to do with the storage of recreational vehicles, that storage part which is not going to be open to the public and therefore, they didn't feel that it was, that that was, since it was only storage, that it was going to be necessary to light that, it wasn't going to be available to the public. And that was the limit of

their concern, not that there wouldn't be lighting on the property for the part that would be used, it was designed to, their concern more dovetailed than was contradictory to what the Planning Board said.

MR. PETRO: I got the picture. In other words, the storage area is what you're talking about, I happen to agree with them, it wouldn't be necessary; but where the public is going to have access which is the lot in the rear which is paved, public does have access, needs to be lit.

MR. CUOMO: We have lights there.

MR. PETRO: There's wall packs.

MR. CUOMO: We have two wall packs.

MR. PETRO: There's no curves on the plan, we have no way of knowing what size the wall packs are, how far and how bright it would be lit. Mark, can you add any light to that, not to use the pun?

MR. EDSALL: I think your point is very accurate that without having isolux curves, you have no idea whether the first three parking spaces are getting lit or all 13. I don't think it's, Mr. Chairman, I don't think it's your intent to light the storage area, you're looking more at the paved area which is only maybe 2/3 back along the property.

MR. CUOMO: We can give you the curves, but the reason I didn't, these lights are adjustable, you turn them up and down and you light what you want to light and that which don't want to light, I mean, it's a simple matter of just turning a light, you know. The wall pack is done this way. There's no guarantee that an isolux is going to work.

MR. PETRO: It would seem to me, Paul, you have 13 spaces which is over 100 feet away from the back of the building, the rear of the building, okay, there's no way that a wall pack is going to light sufficiently parking space 11, 12 or 13. So you may need a pole back there with the lights going in the opposite

direction of the homes to light those areas.

MR. CUOMO: We can do that, no problem.

MR. PETRO: I have never seen a wall pack unit that could light something over 100 feet away.

MR. STENT: Mr. Chairman, on the lights--

MR. CUOMO: I thought we were just going to light immediately, that's why I put it just a wall pack there.

MR. PETRO: No, and I understand that, but we need to light wherever the public is going to have access to sufficiently, so somebody can find their key on the door, they don't trip on a bottle that's on the ground and we also have to do it in a manner that that doesn't light up the surrounding houses which would be in the opposite direction. So the light has to come from the opposite direction, not bigger wall packs.

MR. SCHNABEL: Actually, your concerns as Mr. Krieger said are pretty well consistent with the ZBA's concerns, it was my understanding that they didn't want any lighting because they thought it would impacting on the residential area.

MR. KRIEGER: That was the concern.

MR. PETRO: You want to remove the entire parking area, we'll go along with that, too, but I don't think that's what you want to do.

MR. STENT: Mr. Chairman, the ZBA made some other requests that you mentioned in reference to the RV's.

MR. SCHNABEL: No RV's to be displayed or parked adjacent to Route 94 out in front of the building or out the side of the building, because that would create a sight line problem.

MR. STENT: They should so be noted on the plan. Shouldn't they, that's not on the plan at this point whatever the ZBA required.

MR. SCHNABEL: Fifteen foot drainage ditch or whatever.

MR. PETRO: Just note on the plan ZBA.

MR. STENT: Whatever the ZBA required.

MR. SCHNABEL: Understood, yeah, I would expect that.

MR. STENT: I have no problem.

MR. PETRO: Well, he needs to show some poles and lighting.

MR. CUOMO: I can show poles.

MR. PETRO: Paul, whatever you work out with the engineer, okay?

MR. SCHNABEL: What's a wall pack?

MR. PETRO: It's a fixture that goes on a building, simply a light that's affixed to an existing building.

MR. SCHNABEL: And you want poles?

MR. PETRO: In the back of the property there can be no way they can light the property in the rear which is over 100 feet away from the building.

MR. SCHNABEL: So you'd have to have a pole pointed toward Route 94, so it doesn't bother residential area, correct?

MR. PETRO: That's correct.

MR. KRIEGER: By the time you elevate the wall pack sufficiently to reach far away from the building, it's in essence a spotlight and it's going to, in order to get the end of that property, it's of necessity going to shoot out and going to be in the eyes of the residential people, so as the Chairman indicated, what you want is a light facing away from the residences.

MR. SCHNABEL: Understood, that clarifies it.

MR. STENT: Paul, note on the plan the dimensions of the parking places.

MR. CUOMO: Okay, sure.

MR. PETRO: You need a detail, Paul, of the parking spaces. Again, as I mentioned, this is a public hearing. On April 26, 1999, 11 address envelopes containing the notice of public hearing went out, Deborah Green, notary public. Okay, at this time, I'm going to open it up to the public. If there's anyone that would like to be heard, please be recognized by the Chair, come forward, state your name and address and your concerns. Is there anyone here who would like to speak on behalf of this application? The Chair recognizes that there's no one here that would like to speak so I'll entertain a motion.

MR. STENT: I make a motion we close the public hearing.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Vails Gate Annex site plan. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I'll open it back up to the board.

MR. STENT: I think we have addressed it at this time, if Paul just makes those changes that we have requested and then bring it back, I see no problem.

MR. PETRO: Just take a copy of Mark's comments and the note and the notes that he had.

MR. SCHNABEL: Plus the ZBA concerns as well.

MR. PETRO: You need a detail of the parking space, Paul, with dimensions, and you need another note on the front about the RV's.

MR. SCHNABEL: Detailed parking spaces.

MR. PETRO: Detail, an actual detail of the parking space. You also need the note in the front of the property for the front of the property and you also need to satisfy the Planning Board engineer with the lighting plan.

MR. PETRO: Mark, anything else?

MR. EDSALL: No, you've repeated them several times.

MR. PETRO: Okay, thank you.

MR. CUOMO: Should I go back to the workshop?

MR. PETRO: Just for the lighting, that's all you need.



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CONSULTING ENGINEERS P.C.

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**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** VAILS GATE RENTALS AND POWER ANNEX, INC.  
(MANS) SITE PLAN

**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 70 - BLOCK 1 - LOT 3

**PROJECT NUMBER:** 99-35

**DATE:** 12 MAY 1999

**DESCRIPTION:** THE APPLICATION PROPOSES A USED CAR AND MOTOR VEHICLE SALES AND STORAGE FACILITY, ALSO WITH BUSINESS OFFICE SPACE. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 13 DECEMBER 1995, 8 JANUARY 1997, 11 MARCH 1998 AND 24 FEBRUARY 1999 PLANNING BOARD MEETINGS.

1. The project is located within the design shopping (C) zoning district of the Town. The proposed uses are A-3, A-5 and A-16 of the Zoning District. The "required" bulk information shown on the plan appears correct for the various uses. The plan indicates the necessary variances were granted on 11 January 1999. A record of these variances should already be on file with the Planning Board.
2. At the most Planning Board appearance, several issues were raised and corrections required to the plan. The following items were to have been corrected, but remain incorrect:
  - a. The "accessory uses" reference for the rear storage area was to have been removed from the plan.
  - b. The plan should include a note indicating that there will be no public access or retail sales for the rear storage area.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** VAILS GATE RENTALS AND POWER ANNEX, INC.  
(MANS) SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 70 - BLOCK 1 - LOT 3  
**PROJECT NUMBER:** 99-35  
**DATE:** 12 MAY 1999

Page Two

- c. The Planning Board required that the parking area was to receive site lighting. The Applicant has provided wall packs on the building, but no light poles for the parking area. Further, no isolux curbs have been provided on the plan to verify any level of lighting.
3. The plan should include a dimensional identification that the typical parking spaces are 9' X 19'.
4. The Planning Board should note that the entire front area of the site will now be paved. No striping is proposed. The use of this area is not identified. Similarly, as previously noted, the use of the excess paved area at the rear of the buildings is not identified.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEsh

A:mans512.sh



**McGOEY, HAUSER and EDSALL**  
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**TOWN OF NEW WINDSOR  
 PLANNING BOARD  
 REVIEW COMMENTS**

**REVIEW NAME:** VAILES GATE RENTALS AND POWER ANNEX, INC.  
 (MANS) SITE PLAN

**PROJECT LOCATION:** NYS ROUTE 94  
 SECTION 70-BLOCK 1-LOT 3

**PROJECT NUMBER:** 95-35

**DATE:** 24 FEBRUARY 1999

**DESCRIPTION:** THE APPLICATION PROPOSES A USED CAR AND MOTOR VEHICLE SALES AND STORAGE FACILITY, ALSO WITH BUSINESS OFFICE SPACE. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 13 DECEMBER 1995, 8 JANUARY 1997, 11 MARCH 1998 PLANNING BOARD MEETINGS.

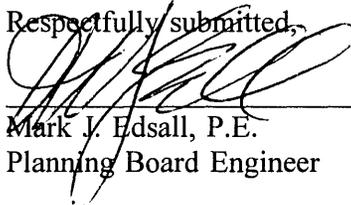
1. The project is located within the Design Shopping (C) Zoning District of the Town. The proposed uses are A-3, A-15 and A-16 of the Zoning District. The "required" bulk information shown on the plan appears correct for the various uses. The plan indicates that necessary variances were granted on 11 January 1999. A record of these variances should be on file with the Planning Board.
2. There are some issues which the Planning Board should review and discuss with the Applicant, such that this plan can be completed, as deemed appropriate by the Planning Board. Please note the following:
  - a. The Board may wish to question what the balance of the paved area is being used for since approximately one-third is not part of the required parking area or access aisles.
  - b. For the rear crushed shale storage area, the plan indicates this area is to also be used for "accessory uses". The Board may wish to further define what "accessory uses" means.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 2**

**REVIEW NAME:** VAILS GATE RENTALS AND POWER ANNEX, INC.  
(MANS) SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 70-BLOCK 1-LOT 3  
**PROJECT NUMBER:** 95-35  
**DATE:** 24 FEBRUARY 1999

- c. The Board may wish to discuss any appropriate fencing, screening and landscaping as appropriate for the site.
  - d. The Board may wish to discuss any lighting requirements for the site.
  - e. The Board may wish to discuss the need and location of the proposed dumpster for the site.
3. The handicapped parking space detail should be corrected to note proper blue painting, as per State Code Requirements.
  4. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process (if this has not already been done).
  5. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
  6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:VAILS.mk



CUOMO ENGINEERING  
2005 D ST. #704  
STEWART INTERNATIONAL AIRPORT  
NEW WINDSOR, NY 12553

567-1145

AUGUST 27, 1999

ESTIMATE FOR  
VAILE GATE RENTALS  
AND POWER ANNEX INC.

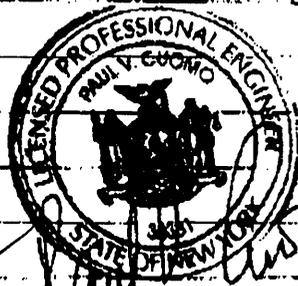
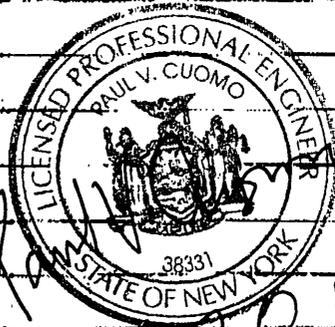
	QUANTITY	UNIT PRICE	TOTAL
ASPHALT PAVING	16,344 sq. ft.	\$ 1.12 sq. ft.	\$ 18,305.28
STRIPING AND SPACE DELINEATION	12 SP.	\$ 8.00 SP.	\$ 96.00
HANDICAP PARKING SIGN AND DELINEATION	1 SP.	\$ 100.00 SP.	\$ 100.00

Fire lane signs 2 @ 75

\$150

GRAND TOTAL ~~\$18,501.28~~

18,651.28



Paul V. Cuomo  
Oct 20 1999

-----X  
In the Matter of the Application of  
**MANS BROTHERS REALTY INC.**

**MEMORANDUM OF  
DECISION GRANTING  
AREA VARIANCES**

#98-21.  
-----X

**WHEREAS, MANS BROTHERS REALTY INC.,** a corporation having an office at 879 Blooming Grove Tpk., Vails Gate, N. Y. 12584, has made application before the Zoning Board of Appeals for a 52,079 sq. ft. lot area, 101 ft. lot width, (3) 27.5 ft. front yard and 34 ft. total side yard variances to establish a sales office on the south side of Route 94 in a C zone; and

**WHEREAS,** a public hearing was held on the 11th day of January, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS,** the Applicant appeared by Philip H. Schnabel, Esq. and Paul V. Cuomo, P. E.; and

**WHEREAS,** there were no spectators appearing at the public hearing; and

**WHEREAS,** no one spoke in favor or in opposition to the Application; and

**WHEREAS,** a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS,** the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a former one-family residence now used as a commercial property located in a commercial zone.

(b) The property consists of two structures separated by approximately 200 sq. ft. The Applicant will enclose and join these structures if the variance is granted.

(c) The Applicant has agreed to a restriction if the variance is granted, that only passenger automobiles can be parked in the front of the premises that all RV's or similar vehicles

be parked only behind the buildings.

(d) The rear most 15 ft. of the property is a drainage easement that has been given to the Town of New Windsor.

(e) The Applicant has agreed that no vehicles of any kind may be parked on the easement.

**WHEREAS**, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations, but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances as previously stated are reasonable in view of the size of the building, its location, and its appearance in relation to other buildings in the neighborhood.
8. The interests of justice will be served by allowing the granting of the requested area variances.

The granting of these variances are conditioned on no parking of vehicles other than two-axle, passenger vehicles in front of the buildings on the premises and no parking of vehicles of any kind on the drainage easement at the rear of the premises.

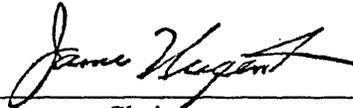
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for 52,079 sq. ft. lot area, 101 ft. lot width, 27.5 ft. front yard and 34 ft. total side yard variances to establish a sales office on the south side of Route 94 in a C zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 12, 1999.

A handwritten signature in cursive script, appearing to read "James Heston", is written over a horizontal line.

Chairman

**RESULTS OF MEETING OF:** May 1999

**PROJECT:** Mans-V.G. Annex **P.B.#** 95-35

**LEAD AGENCY:**

**NEGATIVE DEC:**

1. **AUTHORIZE COORD LETTER:** Y\_\_ N\_\_  
2. **TAKE LEAD AGENCY:** Y\_\_ N\_\_

M)\_\_\_ S)\_\_\_ VOTE: A\_\_ N\_\_  
CARRIED: YES\_\_ NO\_\_

M)\_\_\_ S)\_\_\_ VOTE: A\_\_ N\_\_  
CARRIED: YES\_\_ NO\_\_

**WAIVE PUBLIC HEARING:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_ N\_\_ **WAIVED:** Y\_\_ N\_\_

**SCHEDULE P.H.** Y\_\_ N\_\_ *P.H. Closed* *2 5 } 3 Ayes*  
*5 A } 0 Nay*

**SEND TO O.C. PLANNING:** Y\_\_

**SEND TO DEPT. OF TRANSPORTATION:** Y\_\_

**REFER TO Z.B.A.:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_ N\_\_

**RETURN TO WORK SHOP:** YES\_\_ NO\_\_

**APPROVAL:**

M)\_\_\_ S)\_\_\_ VOTE: A\_\_ N\_\_ **APPROVED:** \_\_\_\_\_

M)\_\_\_ S)\_\_\_ VOTE: A\_\_ N\_\_ **APPROVED CONDITIONALLY:** \_\_\_\_\_

**NEED NEW PLANS:** Y\_\_ N\_\_

**DISCUSSION/APPROVAL CONDITIONS:**

<i>Need light on pole to point away from homes</i>
<i>Need Z.B.A. Notes on Plan</i>
<i>Need Parking Details</i>



70-1-2.1  
House of Apache Props. Ltd.  
53 Elm Street  
Huntington, N.Y. 11743

R ✓

70-1-4  
Gregory P. Greer  
P. O. Box 212-Shields Rd.  
Cornwall, N. Y. 12518

R ✓

70-1-15.3  
Bettina Youngberg  
12 Truex Circle  
New Windsor, N. Y. 12553

✓ R

70-1-16.2  
4 Acres L.L.C.  
104 So. Central Avenue  
Valley Stream, N.Y. 11580-  
5461

✓ R

69-3-2  
TGS Associates Inc.  
15 East Market Street  
Red Hook, N.Y. 12571

✓ R

70-1-2.21  
Terry Scott Hughes  
18 Ellison Drive  
New Windsor, N. Y. 12553

✓ R

6 List

5 Town

---

11 Mailed

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on

MAY 12 1999 at 7<sup>30</sup> P.M. on the approval of the proposed ~~SALES~~ OFFICE IN EXISTING BLDG (Subdivision of Lands)\*\* (Site Plan)\* OF 870 BLOOMING GROVE TPKE located S/S RT94 SEC 70 BLOCK 1 LOT 3

Map of the (~~Subdivision of Lands~~)(Site Plan)\* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: APRIL 7 1999

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

---

NOTES TO APPLICANT:

- 1). \*Select Applicable Item.
- 2). A completed copy of this Notice must be approved prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

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MEMBER NY & CONNECTICUT BAR

**PHILIP H. SCHNABEL**

ATTORNEY AT LAW

P.O. Box 247

Rt. 94 & Old Temple Hill Road

Vails Gate, New York 12584

(914) 562-6003

Fax: (914) 562-6191

June 11, 1998

Mark Edsall, P.E.  
Town Consulting Engineer  
555 Union Ave.,  
New Windsor, New York 12553

RE: 871 BloomingGrove Turnpike, New Windsor

Dear Mark,

On May 5, 1998 pursuant to our telephone conversation, you informed me that you had checked cards going back to the 1970s and that your research revealed a non conforming use for commercial use with an accessory apartment for the above cited location. You further stated that you would confirm your findings in a memo and send it to me.

On June 2, 1998 I appeared at Town Justice Court before Judge Thorpe and Fire Inspector McDonald stated that the above, which I related to the Judge and Town Attorney Bruce Dunn, was not accurate.

In order to document the status of the property, please provide me with the memo confirming your findings so that there is no misunderstanding, and that I may supply same to the Court.

Sincerely,



Philip H. Schnabel

PHS/ps cc: Attorney Bruce Dunn

RECEIVED

JUN 04 1998

ZONING BOARD OF APPEALS  
Regular Session  
June 08, 1998

BUILDING DEPARTMENT

AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept minutes of 05/11/98 meeting as written. APPROVED

PRELIMINARY MEETING:

UP P/H 1. BLOOMER, FRANK - Request for use variance for dog grooming shop at residence located at 110 Union Avenue in R-4 zone. (19-4-92).72

UP P/H 2. MANS, C. P. - Referred by P.B. for (1) 52,079 s.f. lot area, (2)101 ft. lot width, (3) 27.5 ft. front yard, (4) 34 ft. total side yard variances to establish Vails Gate Rentals & Power Annex ~~at~~ former ambulance building on s/s Route 94 in C zone. (70-1-3). NEXT TO

UP P/H 3. ACUNZO/SMITH - Request for use variance to allow used car sales and rentals (Jim Smith Chevrolet) at 556 Route 207 in an NC zone. (3-1-23.1)

PUBLIC HEARINGS:

MOVED 4. TORPEY, PATRICK - Referred by P.B. for finding for expansion of non-conforming to construct addition at 20th Century Towing building located at 200 Union Avenue in a PI zone. (21-2-9).

MOVED AS A NON-CONFORMING USE 5. WALTKE, ROBERT S. - Request for interpretation and/or use variance as to pre-existence or non-conformity of three-family residence in NC zone located at 1097 Rt. 94. (67-5-5).

MOVED 6. de Milt, Brendan - Request for 9 ft. side yard and 9 ft. rear yard variances for existing shed located at 336 Nina Street in an R-4 zone. 73-2-16

MOVED 7. WELLER FRED - Request for 8 ft. front yard and 6 ft. rear yard variances for existing shed located at 18 Nee Avenue in R-4 zone. (48-4-11).

Formal Decisions: (1)

- ① SIMONI
- ② MIELE
- ③ BAJARAZZI
- ④ REDDINGS

Pat - 563-4630 (o) or 562-7107 (h)

APPROVED

**RESULTS OF P.B. MEETING OF:** March 31, 1998

**PROJECT:** Valley Gate Annex

**P.B.#** 95-35

**LEAD AGENCY:**

**NEGATIVE DEC:**

1. AUTHORIZE COORD LETTER: Y \_\_\_ N \_\_\_

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_

2. TAKE LEAD AGENCY: Y \_\_\_ N \_\_\_

CARRIED: YES \_\_\_ NO \_\_\_

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_

CARRIED: YES \_\_\_ NO \_\_\_

WAIVE PUBLIC HEARING: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ WAIVED: Y \_\_\_ N \_\_\_

SCHEDULE P.H. Y \_\_\_ N \_\_\_

SEND TO O.C. PLANNING: Y \_\_\_

SEND TO DEPT. OF TRANSPORTATION: Y \_\_\_

REFER TO Z.B.A.: M) S S) LN VOTE: A 0 N 5

RETURN TO WORK SHOP: YES \_\_\_ NO \_\_\_

**APPROVAL:**

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ APPROVED: \_\_\_\_\_

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ APPROVED CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: Y \_\_\_ N \_\_\_

**DISCUSSION/APPROVAL CONDITIONS:**

<u>Make to check accessibility to second floor office</u>
<u>Correct zone line</u>
<u>Need area variance</u>

M. Babcock

**RESULTS P.B. MEETING OF:** February 24, 1998

**PROJECT:** Clarence Mann-V.G. Annex **P.B.#** 95-35

**LEAD AGENCY:**

1. **AUTHORIZE COORD LETTER:** Y\_\_ N\_\_  
2. **TAKE LEAD AGENCY:** Y  N\_\_

**NEGATIVE DEC:**

M) \_\_ S) \_\_ VOTE: A\_\_ N\_\_  
CARRIED: YES\_\_ NO\_\_

M) S S) N VOTE: A 4 N 0  
CARRIED: YES  NO\_\_

WAIVE PUBLIC HEARING: M) N S) N VOTE: A 4 N 0 WAIVED: Y\_\_ N

SCHEDULE P.H. Y  N\_\_ *Correct Plan - before scheduling P.H.*

SEND TO O.C. PLANNING: Y\_\_

SEND TO DEPT. OF TRANSPORTATION: Y\_\_

REFER TO Z.B.A.: M) \_\_ S) \_\_ VOTE: A\_\_ N\_\_

RETURN TO WORK SHOP: YES\_\_ NO\_\_

**APPROVAL:**

M) \_\_ S) \_\_ VOTE: A\_\_ N\_\_ APPROVED: \_\_\_\_\_

M) \_\_ S) \_\_ VOTE: A\_\_ N\_\_ APPROVED CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: Y\_\_ N\_\_

**DISCUSSION/APPROVAL CONDITIONS:**

<i>No Caretaker Apartment</i>
<i>Add notes: No Retail - No Public Access</i>
<i>Lighting: Put on Plan where public will be.</i>
<i>Drainage is OK as is</i>
<i>Correct handicap parking - (print)</i>
<i>Remove "Accessory Uses"</i>



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY  
and PENNSYLVANIA

- Main Office**  
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- Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765  
e-mail: mhpepa@ptd.net

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**



**REVIEW NAME:** MANS-VAILS GATE ANNEX SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 94  
 SECTION 70-BLOCK 1-LOT 3  
**PROJECT NUMBER:** 95-35  
**DATE:** 11 MARCH 1998  
**DESCRIPTION:** THE APPLICATION PROPOSES A USED CAR SALES AND  
 MOTOR VEHICLES AND RECREATIONAL VEHICLE SALES  
 AND STORAGE. IN ADDITION, BUSINESS OFFICE SPACE  
 IS PROPOSED. THE APPLICATION WAS PREVIOUSLY  
 REVIEWED AT THE 13 DECEMBER 1995 AND  
 8 JANUARY 1997 PLANNING BOARD MEETINGS.

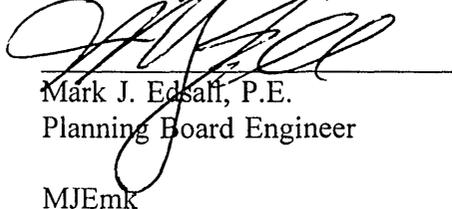
*REISSUED 25 MAR 98*

1. This project is located within the Design Shopping (C) Zoning District of the Town. The Applicant proposes Uses A-3, A-15 and A-16 of the Code (business offices, recreational motor vehicle sales and used car sales).

The "required" bulk information shown on the plan appears correct for the various uses. As can be noted, several area type variances are required from the Zoning Board of Appeals.

2. At this time, it is my recommendation that the Planning Board refer this application to the Zoning Board of Appeals for necessary review and action. At such time that the Applicant receives all the necessary variances for the proposed uses, further technical review of the site plan can proceed.

Respectfully submitted,

  
 Mark J. Edsall, P.E.  
 Planning Board Engineer  
 MJEmk

A:MANS4.mk



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

NEW WINDSOR PLANNING BOARD MEETING  
TOWN HALL  
WEDNESDAY, MARCH 11, 1998 - 7:30 P.M.

## TENTATIVE AGENDA

CALL TO ORDER  
ROLL CALL

APPROVAL OF MINUTES DATED: JANUARY 14, 1998  
JANUARY 28, 1998

### ANNUAL MOBILE HOME PARK REVIEW:

APPROVED a. MT. AIRY MOBILE HOME PARK - Mt. Airy Road (Johnson) APPROVED

### POSSIBLE Z.B.A. REFERRALS:

- No show 1. 20TH Century Towing Site Plan (98-8) Union Avenue (Cuomo)
- ↓ 2. Vails Gate Rentals - Mans, Casey Site Plan (95-35) Rt. 94 Vails Gate (Cuomo)

CK# 2162  
\$455<sup>00</sup>/<sub>100</sub>

### PUBLIC HEARING:

TO RETURN 3. PENNINGS SUBDIVISION (98-7) Lake Road (Pfau)

### REGULAR ITEMS:

- APPROVED 4. REAPPROVAL of : Rock Tavern Greens Sub. (96-10) Off Rt. 207 (Leone)
- No show 5. Rt. 32 Storage Area - Mans, Casey Site Plan (98-2) Rt. 32 (Cuomo)

### DISCUSSION

TO RETURN TO PLANNING BOARD 6. Stevenson Lumber Site Plan (97-4) (Edsall)  
ADJOURNMENT

(NEXT MEETING - MARCH 25, 1998)

ZONING BOARD OF APPEALS  
Reorganization Meeting  
January 11, 1999

AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes from 12/07/98 meeting as written. - APPROVED

PRELIMINARY MEETING:

SET UP  
FOR P/H

1. BIGI, DONALD - Request for 5 ft. side yard variance for existing shed located at 216 Butterhill Drive in a CL-1 zone. (80-4-8).

SET UP  
FOR P/H

2. AQUINO/MELICK - Request for 10 ft. sign width variance for wall sign at 401 Windsor Highway (former Capt. Video) in a C zone. (65-2-24).

PUBLIC HEARING:

APPROVED  
SUBJECT  
TO

3. MANS, C. P. - Request for (1) 52,079 s.f. lot area, (2) 101 ft. lot width (3) 27.5 ft. front yard, (4) 34 ft. total side yard variances to establish sales office on s/s of Rt. 94 in C zone. (70-1-3). *re: DISA*

APPROVED  
CANOPIES  
+  
SIGNS

4. ORWEST REALTY/DAIRY MART - Referred by P.B. for 25/20 ft. front yard variance for two canopies over gas pumps, plus 135 s.f. area and 5.5 ft. height variances for freestanding replacement sign at 173 Windsor Highway in an NC zone. (12-2-1).

APPROVED

5. DANTAS, ALLEN - Request for 6 ft. side yard and 1.7 ft. rear yard variance for existing one-family residence, plus 8.7 ft. side yard and 7.2 ft. rear yard variance for existing detached garage at 64 Clancy Avenue in R-4 zone. (13-1-6).

TABLE  
TO  
JAN 25  
MEETING

6. PELLEGRINO, JOHN - Request for area variance to keep livestock at Enchanted Gardens located at 1721 Little Britain Road in an R-1 zone. (52-1-6).

Reorganization: Motion to appoint Officers for 1999.

Formal Decisions: (1) N.W. Partners/Daidone - APPROVED

Pat - 563-4630 (o)  
562-7107 (h)

SET UP FOR P/H  
#128A 6-8-98

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY # 228A 1-11-99

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION TO  
APPROVED SUBJECT  
SEE PLANS

PLANNING BOARD FILE NUMBER: 95-35

DATE: 1 MAY 1998

APPLICANT: MAN'S BRDS REALTY INC  
P.O BOX 247  
VAILS GATE N.Y. 12584

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 DEC 95

FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

LOCATED AT SOUTH SIDE RT 99 - 150' FT WEST

OF ROUTE 300 ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 70 BLOCK: 1 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

MULTIPLE AREA TYPE VARIANCES REQUIRED.

*[Handwritten Signature]*

MARK J. EPTALL P.E., F.D.  
 MICHAEL BABCOCK,  
 BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS	PROPOSED OR AVAILABLE			VARIANCE REQUEST
ZONE <u>C</u> USE	<u>A-3</u>	<u>A-15</u>	<u>A-16</u>	
MIN. LOT AREA	<u>40000</u>	<u>80000</u>	<u>80000</u>	<u>27,921 SF</u> / <u>52,079 SF</u>
MIN. LOT WIDTH	<u>200</u>	<u>200</u>	<u>200</u>	<u>99 FT</u> / <u>101 FT</u>
REQ'D FRONT YD	<u>60</u>	<u>60</u>	<u>60</u>	<u>32.5 FT</u> / <u>27.5 FT</u>
REQ'D SIDE YD.	<u>30</u>	<u>30</u>	<u>30</u>	<u>11 FT</u> / <u>19 FT</u>
REQ'D TOTAL SIDE YD.	<u>70</u>	<u>70</u>	<u>70</u>	<u>36 FT</u> / <u>34 FT</u>
REQ'D REAR YD.	<u>30</u>	<u>30</u>	<u>30</u>	<u>200 FT</u> / <u>-</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>-</u> / <u>-</u>
MAX. BLDG. HT.	<u>4<sup>1/2</sup> = 36'</u>	<u>6<sup>1/2</sup> = 55'</u>	<u>6<sup>1/2</sup> = 55'</u>	<u>18 FT</u> / <u>PRE-EXIST</u>
FLOOR AREA RATIO	<u>0.5</u>	<u>0.7</u>	<u>0.7</u>	<u>0.05</u> / <u>-</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>-</u> / <u>-</u>
DEV. COVERAGE	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>-</u> / <u>-</u>
O/S PARKING SPACES	<u>→</u>	<u>13</u>	<u>←</u>	<u>13</u> / <u>-</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
 (914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

VAILS GATE RENTALS - MANS, CASEY SITE PLAN (95-35)  
ROUTE 94 - VAILS GATE

Mr. Paul Cuomo and Philip Schnabel, Esq. appeared before the board for this proposal.

MR. CUOMO: This is Vails Gate Rentals Power and we have had it on the planning board before.

MR. PETRO: This is by the old ambulance building?

MR. CUOMO: This is by the old ambulance building next to, it's next to the old ambulance building.

MR. PETRO: Next to Scott's Cleaning Wax.

MR. CUOMO: Yes and this is Phil Schnabel.

MR. SCHNABEL: Attorney for Mr. Mans.

MR. CUOMO: He's representing Mr. Mans and this project, we have evolved, it used to have a, well, I can't mention it, why don't you tell them where we're at.

MR. PETRO: Are you here on your own a accord or were you given a summons of some kind or Mr. Mans given a summons to rectify or be here?

MR. SCHNABEL: Not on this property.

MR. PETRO: All the ones existing but not on this one.

MR. SCHNABEL: He's got 20 violations that were issued for various properties that he owns. But this is not one of them. However, this is entailed in a plan that I have worked out with the town attorney to try to bring Mr. Mans into compliance with the Town Code. This will afford him storage, additional storage which right now he does not have and in some cases, makes him run afoul of the town ordinances, although, this as I say, this property is not one of the violations cited but will affect the compliance for the other areas that were cited.

MR. PETRO: Yo'ure here tonight again for referral to the zoning board?

MR. SCHNABEL: Right, ZBA, right.

MR. PETRO: The house is going to remain and be what, for car sales, second floor will be business office?

MR. CUOMO: Right.

MR. PETRO: Mike, how did they get to the business office if it was a home, now you're going to need a second office, how are you going to get the handicapped access to those offices?

MR. BABCOCK: I think the office is going to be on the--.

MR. STENT: Car sales office is going to be on the first floor.

MR. PETRO: Business office on the second floor?

MR. CUOMO: Yeah.

MR. PETRO: Second floor business office.

MR. CUOMO: Then, the garage is going to be--

MR. PETRO: Single story so that is not a problem. Are you going to enclose that 200 square feet? Are you going to tie that together one building?

MR. CUOMO: Yes, that will be one connected, the garage.

MR. BABCOCK: This 200 foot section you're going to build, Paul, in between, you're going to build an addition between the two?

MR. CUOMO: Yes.

MR. PETRO: You're building walls, putting a roof on it and connecting both buildings?

MR. CUOMO: Right.

MR. BABCOCK: There's a new State Code existing for handicapped accessibility on the second floor, if it's an accessory use, I have to be honest, I don't know what that is.

MR. PETRO: You can look into that so let's assume that is not a problem.

MR. STENT: Quick question, I want to make sure is this the gray house out there, little gray house?

MR. CUOMO: Yeah.

MR. LUCAS: And the small lot next to that south of that that is the old ambulance corps building?

MR. CUOMO: Yes.

MR. LUCAS: Next to that is where they do the car?

MR. PETRO: Used to be the gutter man there, proposed paved area that number 98 is that the limits of the C zone, is that what that dotted line going across there is for, what's that, no, topo line, what's that?

MR. KRIEGER: Between parking places 12 and 13?

MR. CUOMO: That is a topo line.

MR. EDSALL: 97 you can see on the bottom.

MR. PETRO: So you have C zone going back 230 feet, you have 200 feet and 30 feet for encroachment.

MR. CUOMO: Well, this goes back 300 feet.

MR. PETRO: The point I'm trying to make is the entire project inside the 200 foot C zone?

MR. BABCOCK: No.

MR. PETRO: Okay, how much of the project isn't, is it encroaching into the R zone?

MR. BABCOCK: Yes.

MR. PETRO: So, is that going to be another variance that they need?

MR. BABCOCK: He needs to tell us where that line is.

MR. CUOMO: We didn't mark that, I didn't realize.

MR. PETRO: We need to know that, we need to know what zone that the business is going to be in.

MR. CUOMO: I didn't realize that that was out of the zone.

MR. PETRO: Look into that one.

MR. CUOMO: Yeah, but I don't know.

MR. PETRO: What's he going to store here?

MR. SCHNABEL: Used cars.

MR. PETRO: Autos for sale, going to be a used car lot?

MR. SCHNABEL: It's the vehicles that he takes in trade it's going to be mainly trailers and motor homes which he's overflowing at present which causes a lot of these problems with the town zoning ordinance.

MR. PETRO: I don't have a problem, it's a permitted use in the zone.

MR. SCHNABEL: Coming up here looking for an area variance because of the side yard and so forth but right now, what I am hearing there may be a use variance in question because he's talking about encroaching on an R zone which I didn't know about.

MR. PETRO: Mike, for used car sales, doesn't the code says 80,000 feet? You want to check that?

MR. SCHNABEL: Yeah, it does, you're right, that is why we're asking for the area variance.

MR. PETRO: Area variance.

MR. SCHNABEL: Yeah, but as I say, until you just mentioned it, I didn't know that it was encroaching on an R zone.

MR. BABCOCK: It's not.

MR. EDSALL: The zone line goes across the back of the property.

MR. SCHNABEL: So, it is not encroaching.

MR. CUOMO: That is what I thought.

MR. PETRO: I know a lot of the Vails Gate area is 200 feet deep.

MR. EDSALL: 32 is all 200, but this section goes along the back of the property line.

MR. PETRO: Okay, so that is not an issue. I need for you to tell me that.

MR. CUOMO: I was thunder struck, I have been working on it for 3 years, thunder bolt.

MR. PETRO: Okay, enough, does anybody have any problems with this? Actually, I'd like to make a motion to refer this to the zoning board.

MR. LANDER: Vehicle storage in the back here, are there vehicles parked there now?

MR. CUOMO: No, there's nothing back there now.

MR. LANDER: There is nothing back there?

MR. SCHNABEL: No.

MR. CUOMO: Absolutely zero.

MR. SCHNABEL: It's an empty lot.

MR. LANDER: Is there a fence, some type of screening or--

MR. SCHNABEL: I believe that there is fencing on one side, I think on the east side.

MR. LANDER: Screening or cyclone fence?

MR. CUOMO: I don't think there's any screening back there.

MR. LANDER: We're going right up against the residential.

MR. CUOMO: We can put a fence.

MR. SCHNABEL: We're in an area that abuts a residential area, you're going to need something to screen it from the commercial area.

MR. PETRO: We're going to review it at the planning board level when he returns, we just need to send him to the zoning board.

MR. STENT: Motion to approve.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve the Mans Vails Gate Rentals site plan Route 94. Roll call?

ROLL CALL

MR. ARGENIO	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the local zoning board for the necessary variances. When you have received those variances, if you are successful, put them on the map and come before this board and we'll review it for site plan, thank you.



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY  
and PENNSYLVANIA

MEMORANDUM  
24 April 1998

TO: FILE

FROM: MARK J. EDSALL, P.E. 

SUBJECT: MANS PROPERTY - VAILS GATE RT.32  
SECTION 70 - BLOCK 1 - LOT 5

I have reviewed the information from the Assessor in connection with the subject property pursuant to the Planning Board Work Session of 4 March 1998.

The property cards indicate a use code 483 which the Assessor's Office tells me indicates a commercial with accessory apartment. This use is also reflected on the card from the 1970's. Based on same, it would appear that the property will not require area type variances for the apartment, which is a special permit use (B-10) within the C Zone (note the property has less than the bulk values for the B-10 use).

Based on the above, it would appear that Mr. Mans must proceed with the application to the planning board for the mix of uses now proposed. Mr. Mans has previously referenced a planning board approval in 1983, however, this was very vague and would not seem to support the mixed uses now proposed. Separate from the Planning Board review the applicant must address compliance with the State Building Code, which is a problem for the mix of uses per advice of Bob Rodgers.

cc: Myra Mason, Planning Board Secretary  
Robert Rodgers, Fire Inspector  
Mike Babcock, Building Inspector

MJE/st  
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# TOWN OF NEW WINDSOR

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NEW WINDSOR PLANNING BOARD MEETING  
TOWN HALL  
WEDNESDAY, DECEMBER 10, 1997 - 7:30 P.M.

## TENTATIVE AGENDA

CALL TO ORDER → ROLL CALL → APPROVAL OF MINUTES DATED: 10/8/97 & 10/22/97

### ANNUAL MOBILE HOME PARK REVIEW:

- a. SILVER STREAM MOBILE HOME PARK - RT. 207 (CLARK)

NO SHOW

### PUBLIC HEARING:

PLIM APPROVED

- 1. SHANNON ACRES SUBDIVISION - (97-11) DEAN HILL & MT. AIRY ROADS

### POSSIBLE Z.B.A. REFERRALS:

- 2. Mans, Clarence - Vails Gate Annex Amended Site Plan (95-35) (Cuomo)
- 3. Flannery Animal Hospital Site Plan (97-44) Rt. 300 (Shaw)

GO TO ZBA

### REGULAR ITEMS:

RE-APPROVED

- 4. Jagger Subdivision (92-5) Union Avenue (Kartiganer) — SUBJECT OF HIGHWAY
- 5. Mobil Oil Site Plan (97-25) Rt. 32 & Rt. 94 (Tyree Engineering)
- 6. Blooming Grove Operating Subdivision - PHASE II (97-40) Toleman Rd (Zimmerman)
- 7. Blooming Grove Operating Subdivision - PHASE III (97-41) Toleman Road (Zimmerman)
- 8. Windsor Crest Amended Site Plan (97-45) Rt. 32 (Shaw)

MYRA SEND MAP TO HIGHWAY

APPROVED

APPROVED

### PRESUBMISSION:

- 9. Destina Theaters Amended Site Plan - Squire Plaza (Kartiganer)

5 RETURN

### CORRESPONDENCE:

APPROVED

- 10. C & R ENTERPRISES SUB - REQUEST FOR REAPPROVAL (90-31)

### DISCUSSION:

- 11. "Mommy & Me" classes at site on corner of Rt. 32 & Union Ave. (Enginer)

OK WITH P.B.

### ADJOURNMENT

MYRA TO CALL

(NEXT MEETING - JANUARY 14, 1998)

MANS BROTHERS REALTY

MR. NUGENT: Referred by Planning Board for interpretation and/or verification of uses as A-16, B-10 and possibly A-21 based on bulk tables shown area type variances. Refer to Notice of Disapproval.

Paul Cuomo, P.E. appeared before the board for this proposal.

MS. BARNHART: Everyone has a copy of this because there were just too many details to put on the agenda.

MR. CUOMO: I have been here before as you well know. The last time I came here with this, there was a situation with the parking lot and we decided to redo everything with the maps that the planning board saw.

MR. NUGENT: This is the one they saw?

MR. CUOMO: This is the one you had before, you had this before, but I don't know one of the members noticed that there was a problem with the percent coverage, you know, so then what we did we went back to the drawing board and we started all over again from scratch and this is what we have come up with, this is what the planning board--

MR. TORLEY: Planning board has seen this map?

MR. CUOMO: Oh, absolutely, yes.

MS. BARNHART: It came from the planning board.

MR. KRIEGER: That wasn't Larry's question. Member Torley asked if they have seen this map.

MR. CUOMO: Did they see this map, yeah, they saw this map.

MS. BARNHART: This notice of disapproval of site plan is based on this map.

MR. CUOMO: They saw this map. So we're coming in for a list of variances, it's quite a list, I know.

MR. NUGENT: First thing we need to decide is what it is it, A-16, B-10 or A-21.

MR. BABCOCK: There's several uses on this property and there's a use A-16, B-10, A-21, there's three uses. Maybe you'll remember we had this meeting in right in Patty's office, I think it was, and Paul had changed the plan per the planning board, some of the things that the planning board had said and then came to the zoning board with a referral and I thought it would be best if he came back, got a new referral from the planning board because there's been changes on different things and this prompted a new denial to the zoning board because of the changes to A-21, you may remember there's a garage on this property with a single family home and they were going to make the garage an office and have the single family home a caretaker's apartment. The code says that the caretaker's apartment must be within the commercial building so now they are going to put an addition between the garage and the house to make it one building now.

MR. TORLEY: That is the deck structure?

MR. CUOMO: Yes.

MS. BARNHART: So you have a mobile home?

MR. CUOMO: We have since removed that, it's gone, we have got parking spaces, we have got one handicapped.

MR. NUGENT: So we're basing our decision on A-21 is that the most restrictive?

MR. BABCOCK: I don't know that it is all, not in all cases, Mr. Chairman.

MR. CUOMO: Well, B-10 is for the caretaker's apartment and then we have the office, we have as you can see we have got two uses here.

MR. TORLEY: What's going to be here that requires a caretaker to watch over?

MR. CUOMO: What's going to be here to require a caretaker, there's going to be, what do you call those, quite a lot of valuable trucks and vans and so forth, you know, it's going, it's going to be used for sales.

MR. BABCOCK: Larry, also it's a wood frame structure, it's two stories and the only thing you can really have on a second story today without having to put an elevator in is a single family dwelling, more to do with costs than anything, I'm sure you'd like to have another office up there, wasn't for the cost of making it an office, that is why you are seeing caretaker's apartment on second floors.

MR. TORLEY: Doesn't it have to be handicapped access for caretakers?

MR. BABCOCK: No, it's A-1, it's exempt, same as your single-family house, exempt.

MR. NUGENT: What zone is that in?

MR. BABCOCK: C zone.

MR. KRIEGER: Basically determining whether or not those uses are in fact in the eyes of the board that they do fall under those categories, A-16 B-10 and possibly A-21 and that is what I understand the application to be. Now, Mike, let me ask you this, what if the zoning board were to determine that those are the proper use classifications, can the building department make a determination as to what would be the area requirements?

MR. BABCOCK: When we did this, we felt that we put all three categories in so that the board could see we were going to do the most restrictive on each one, if one category was more restrictive than all of them, that is the category we would have used. But if you look down the sheet, A-16 is the most restrictive for 1, 2, 3, 4, variances and then it jumps to B-10 for the developmental coverage or not for building height and then to A-21 for developmental coverage. So to make it understandable, we put it in three categories.

MR. NUGENT: Why don't we just do it on a C Zone?

MR. BABCOCK: It is C zone, Mr. Chairman, but there's three different uses in this building.

MR. NUGENT: A-16 and B-10, they are all out of the C zone?

MR. BABCOCK: Yes.

MR. TORLEY: These are all area variances, none of them are use variances?

MR. BABCOCK: That is correct, which in a C zone every use has different criteria, that is the problem. If you see in A-16 the lot area is 80,000, B-10 it's 20 acres and A-21 it's five acres.

MR. TORLEY: So as our code is formally written, to have a caretaker's apartment by right means you have a 20 acre--

MR. BABCOCK: Piece of property, yes.

MR. TORLEY: And this is?

MR. NUGENT: 27,000 square feet.

MR. CUOMO: Usually is a shopping center you would have that.

MR. TORLEY: Again so the question is are we talking about a caretaker or are we talking about a way to get an apartment into the structure?

MR. KRIEGER: You got it.

MR. BABCOCK: That is what they expressed, you know, when they came in, we had talked about that and if they put anything else other than that on the second floor, they need handicapped accessibility which would require an elevator for that building.

MR. TORLEY: So the question is is it matching the

intent of the Town Code to have any structure with a second floor in a C zone? We can throw a caretaker's apartment in, make an apartment, call it a caretakers, when they originally wrote the code for 20 acre golf course which needed a groundskeeper.

MR. BABCOCK: That is why they are in front of you. I write it up, we write this thing up exactly how the applicant brings it in to us.

MR. TORLEY: Of course I wonder how you get a 20 acre parcel with 300 foot frontage.

MR. CUOMO: We did the same thing down at Duffer's Hideaway, we put a caretakers in.

MR. TORLEY: So leaving aside the caretaker's apartment, what are the other things we're talking about in requiring variances?

MR. BABCOCK: Lot width requires a variance, front yard requires a variance on all three, side yard requires all three of the uses variances, and total side yard requires all three of the uses to get a variance and then we jump down to building height only requires the A-16 use to have a variance and then when we go to developmental coverage, it requires the B-16 and A-21 to have a variance.

MR. TORLEY: Now again, Paul, from here to here you're saying is compact shale and parking area?

MR. CUOMO: Yes.

MR. TORLEY: Doesn't that count as developmental coverage, Mike?

MR. BABCOCK: No.

MR. TORLEY: As long as it's porous, it doesn't matter.

MR. BABCOCK: Right. If you remember that is what he changed and quite honestly, I can say for the planning board that they wanted that because there's a drainage problem in that area.

MR. CUOMO: There is a drainage problem in the back.

MR. TORLEY: Definite problem.

MR. CUOMO: Long standing problem.

MR. BABCOCK: If they were to blacktop that whole thing, it would create a problem.

MR. KRIEGER: All the three uses, the A-16, B-10 and A-21 are allowed uses in the zone?

MR. BABCOCK: That is correct.

MR. KRIEGER: So it is simply a question of the area variances that are required in order to make them fit and with the developmental coverage area variance if that were to be denied, it would in effect deny them use of a caretaker's apartment?

MR. BABCOCK: That is correct.

MR. TORLEY: Conversely, denial of the caretaker's apartment wouldn't effect anything else.

MR. KRIEGER: Yes, but if you approach it as a caretaker's apartment question is then it's a use variance, if you approach it from developmental coverage standpoint, it's an area variance, same effect, different questions.

MR. TORLEY: I see if you are considering that this is not a caretaker's apartment per se, but it's simply an apartment for public rental.

MR. KRIEGER: No, if they had 20 acres even then they are entitled to a caretaker's apartment, they have less than 20 acres.

MR. TORLEY: But you said use.

MR. KRIEGER: Yes, so either the board a use variance is applied for to the board to allow a caretaker's apartment in a place where it would not be allowed or

that he apply for developmental coverage variance which would have the effect of piggy-backing, it would have the effect of allowing it.

MR. TORLEY: They are all area variances?

MR. KRIEGER: Correct. The application is for use variances where the caretaker's apartment comes in, if that particular use variance were to be denied or area variance were to be denied, it would have the effect of denying that use, that is not the intention and that is not the application but that would be the necessary effect.

MR. TORLEY: Leaving aside the question of the caretaker's apartment, then we're dealing with strictly for example A-16 we'd be looking at those side yard variances, et cetera.

MR. BABCOCK: Yeah, the minimum lot area in that zone is 80,000 square feet for no matter what for his three uses. He's got 27,921.

MR. NUGENT: Well, I don't know what the rest of the board wants but if I was going to be making a decision, I would want to make it on the A-16, that is the least amount of variances that are required and the least amount of feet that are required or square feet, depending on which one you're looking at. Under developmental coverage, it doesn't need any, doesn't need any variance, right, am I correct?

MR. TORLEY: A-16 use is the minimum number of variances required.

MR. NUGENT: Right, exactly, but what does A-16 say? Just hang on a minute and we'll find out.

MR. TORLEY: B-10 column is strictly regarding if there's a caretaker's apartment.

MR. BABCOCK: Yes, B-10, what Mark is writing here is that the board should verify that the uses A-16, B-10 and possibly A-21 based on a bulk table area shown types of variances is noted. Jimmy's getting ready to

read that.

MR. NUGENT: A-16 is used car sales.

MR. TORLEY: That is what's actually going to be done here?

MR. CUOMO: Yes, used cars.

MR. BABCOCK: Wait one second, read the B-10, Jim.

MR. NUGENT: B-10 is living quarters for not more than 1 family located in each permitted commercial building on each lot for the use of the owner or caretaker of the permitted use or uses housed in such buildings.

MR. BABCOCK: Right, so the B-10 is the caretaker's apartment. Now read A-21.

MR. NUGENT: Motor vehicle sales and establishments for new motor vehicles, used motor vehicle sales and repair and service garages shall be permitted only as accessory uses to new motor vehicle sales.

MR. BABCOCK: Right.

MR. NUGENT: Is he selling new vehicles out of here?

MR. BABCOCK: He is going to sell new vehicles. The problem with it is that A-16 says used cars, doesn't say trucks, doesn't say motor homes, doesn't say campers. So, if you give him a variance or he wants the use of A-16 with just used cars, it won't fit what he wants to do with this property, he wants to do motor vehicles.

MR. NUGENT: Recreational motor vehicles.

MR. TORLEY: That is really what he is looking for.

MR. NUGENT: That is 15.2. The two means site plan approval required, we have--

MR. BABCOCK: But the A-21 reading through that we felt that the A-21 covered it cause he's going to sell new

vehicles, he's going to sell recreational vehicles and that says motor vehicles, new motor vehicles.

MR. TORLEY: Whereas A-16--

MR. BABCOCK: He's also going to sell used so you can't used just A-21 because that only specifies new.

MR. KRIEGER: But 21 does specify used as an accessory use.

MR. TORLEY: But A-16 is strictly regarding passenger motor vehicles.

MR. BABCOCK: That is right, cars, says cars.

MR. TORLEY: So with A-16 is really not an appropriate, that column is gone.

MR. BABCOCK: It's not enough for what he wants to use.

MR. TORLEY: For his requested structure of the proper use of the property A-16 is irrelevant.

MR. BABCOCK: No, he wants to sell cars, too.

MR. TORLEY: But A-21 covers that new and used motor vehicles and cars.

MR. KRIEGER: Motor vehicles includes cars but cars does not include motor vehicles.

MR. NUGENT: But that is five acres, 21 is five acres.

MR. BABCOCK: Right.

MR. NUGENT: Which is a lot more stringent. I think 21 fits the description of the property.

MR. KRIEGER: A-21 with a B-10 on the side.

MR. REIS: That is why we have to incorporate all three.

MR. NUGENT: We can't pick and choose, how are you

going to pick and choose?

MR. REIS: What we're going to give out, we're going to either deny or accept is a combination of the three sections.

MR. BABCOCK: Well, if you use, if you were to use one column and you picked A-21, that is the most restrictive. If you look, it's five acres instead of 80,000, it's 200 foot which is exactly 200 foot lot width, it's 100 foot lot width but the A-16 is 60 foot, you follow me down the chart so 50 and 30, 170, 50, 30 and 50 and it's in a, 18 and five foot and ten and N/A so it's the most restrictive.

MR. TORLEY: But the applicant is still looking for the apartment.

MR. BABCOCK: That is correct, that is the B-10.

MR. TORLEY: Mr. Chairman, I would like some help on that, maybe we can make a request if he wants to pursue the apartment.

MR. NUGENT: Just remember this is only the preliminary.

MR. TORLEY: I want to let him know what I'd want to hear at the public hearing, I don't want to sandbag anybody. So if you want to go with that apartment, I would have to be convinced it really fits what the town board wanted to see as a caretaker's apartment. I'd like you to discuss how that fits into what the town board wanted, by however means you want intended to say when they came to put the caretaker's apartment in the zoning, how this fits their intent.

MR. CUOMO: Well, the applicant would have to be here for that.

MR. TORLEY: I just want to let you know what's going on for the public hearing.

MR. NUGENT: We can only vote on one, it can only be one of these three things, can't be all three.

MR. TORLEY: With what's a permitted use of the property where you have a caretaker's apartment what can you use that for.

MR. BABCOCK: Any permitted use in a C zone is allowed to have a caretaker's apartment.

MR. TORLEY: Caretaker's apartment could encompass an A-21 use.

MR. KRIEGER: They are not mutually exclusive.

MR. KANE: Right, but they have to tell us exactly which ones he's looking at and then we can--

MR. TORLEY: If he wants the caretaker's apartment, then you have to deal with the variances from the B-10 column.

MR. KANE: Or the A-21.

MR. TORLEY: If he wants caretaker's apartment, it's got to be B-10 because that is where the permitted caretaker's apartment is.

MR. KRIEGER: The developmental coverage for a caretaker's apartment is much greater than for A-21 use.

MR. BABCOCK: Mr. Chairman, would it make it easier if we had three different sheets?

MR. NUGENT: No, not for me it wouldn't, I don't have--

MR TORLEY: Please enlighten me what I want to do is you're saying he has to come back requesting variances from one of those three columns but only one column and our decision is therefore which column is the appropriate one he should be dealing with.

MR. BABCOCK: You can't say one of the three columns in my opinion you can't because if you were to pick the A-21 column, then he would not have the proper variances to put a caretaker's apartment in.

MR. NUGENT: We're not going to pick any column, he is going to pick the column.

MR. CUOMO: No, we're guided by the town.

MR. NUGENT: I don't think so.

MR. CUOMO: Aren't we guided by the town, Mr. Attorney, we can only do what the town wants, we can't go around picking things.

MR. NUGENT: You're guided by this sheet right here.

MR. TORLEY: So Andy, again, if you have an area and you meet all the requirements for B-10.

MR. KRIEGER: If you met all the requirements, all the area requirements.

MR. TORLEY: That would allow you to have an A-21 use?

MR. KRIEGER: Yeah an A-21 use would fit within there, just that the B-10 requires even more if you have an A-21 it doesn't automatically get you a B-10.

MR. TORLEY: But a B-10 would give you sufficient grounds for an A-21.

MR. KRIEGER: If you have enough for a B-10 you would have enough for an A-21.

MR. TORLEY: If the applicant is looking for the caretaker's apartment, however we determine it to be, he really ought to be dealing with the B-10 column and all the variances should be from that, if you decide you're not going to do that then it's A-21.

MR. NUGENT: He has to pick one.

MR. TORLEY: I'm telling him.

MR. NUGENT: It ain't up to us, we know he will fit in any one of the three but we can't vote.

MR. KRIEGER: What you say is correct, if he applies for any area variances to allow a B-10 use, he would automatically have enough for an A.

MR. TORLEY: I'm just trying to make sure we understand.

MR. BABCOCK: Andy, just check the developmental coverage before you say that.

MR. NUGENT: 27 percent.

MR. KRIEGER: He needs--

MR. BABCOCK: If he goes with B-10, he won't have the developmental coverage for A-21.

MR. TORLEY: A-21 is ten percent.

MR. BABCOCK: Yeah, he needs 20.

MR. TORLEY: He's asking for 37 anyway.

MR. KANE: Right, so over here the requested variances, take a look at what would be requested, he'd be at 27 percent request under the A-21. If he goes for B-10, he is going to be asking for--

MR. BABCOCK: 17 percent.

MR. BABCOCK: He needs 27 percent to operate his motor vehicle sales there, if you go with B-10, he's only going to get 17 percent. And if you give him an approval for B-10, he can have the caretaker's apartment there but nothing else. It flip flops, I don't think you can pick one column.

MR. TORLEY: No, but if he goes with B-16, he needs variances most of the way down the chart.

MR. BABCOCK: B-10?

MR. TORLEY: I'm sorry, B-10 and A-21, those two columns in each case there's going to be variances required for parallel spots, each lot, the question is

he can go for B-10 and we can grant theoretically he can be granted a 17 percent variance which would bring him up to 37 percent developmental coverage which would allow him to function.

MR. BABCOCK: He needs a 27 percent developmental coverage to operate a motor vehicle sales, if you grant him a 17 percent, he cannot do that.

MR. NUGENT: He's got proposed 37 percent.

MR. TORLEY: If we grant him a variance where he can have 37 percent developmental coverage, he's all set.

MR. BABCOCK: Yes, that is not in B-10 though.

MR. TORLEY: Yeah.

MR. KANE: We're just saying overall if we give him 37 percent.

MR. TORLEY: Right, if we grant developmental coverage variance from the B-10 to have 20 percent, we grant him additional 20 percent covered.

MR. BABCOCK: Variance of 17 but he needs a variance of 27 to operate motor vehicle sales.

MR. KRIEGER: That only allows him ten.

MR. NUGENT: Over and above the 20?

MR. BABCOCK: Yes.

MR. KRIEGER: He's only allowed ten here.

MR. BABCOCK: I see what you're saying.

MR. NUGENT: I'm saying if you go with B-10 that gives him 20.

MR. KRIEGER: I know that but A-21 only gives him ten percent, he wants 37 percent so 27 percent variance would allow him to operate both.

MR. TORLEY: Our variances, if we allow you a variance of 4 percent, so that you are, like the earlier applicants, you're four feet, so your garage is in the right spot here, we're giving you, we can just phrase the formal opinion to say we're granting you a variance of 17 percent, so we can allow 37 percent total developmental coverage on this lot if the formal decision is thus phrased we can cover that.

MR. NUGENT: Let me ask you a question. And I guess this is going to be directed to you. Can we go and do 7 variances individually?

MR. KRIEGER: That is what he is applying for.

MR. NUGENT: The reason I'm asking that question is that in other words, can you do one from A-16, one from B-10 and one from A-21?

MR. BABCOCK: Do the most restrictive one out of each column and you have got it.

MR. NUGENT: You have to do 7 variances individually?

MR. BABCOCK: Yes.

MR. KRIEGER: For the purpose of variances, it doesn't matter whether it's A-16 or A-21 or B-10, it's a situation of I have this and this is what I want that is into why he wants it, which is possibly worth considering, but it isn't relevant to, it is relevant to making a decision, but it is not relevant ultimately to the decision made, just I have this and this is what I want.

MR. TORLEY: But it does enter in whether or not depending which column it indicates the magnitude of the variance requested and we're supposed to minimize the variances.

MR. BABCOCK: For him to get a building permit from me he would have to do exactly what you just said, he is going to have to get 7 different variances that would cover all three of these groups so he can do all three of these items on that property. Let's just say he

wants to walk out of here and the board is going to grant variances for this all these uses on this property, he is going to need 7 of the most restrictive cause once he gets a ten yard, he doesn't need a five yard anymore or five foot variance.

MR. TORLEY: So the only one, there's only one case, sorry, there are two cases where A-16 or A-21 is more restrictive than B-10, one's for the building height variance which a dog house needs a building height variance in this town.

MR. BABCOCK: The rest of them are all B-10.

MR. NUGENT: Is everybody in agreement with that?

MR. KANE: Yes.

MR. REIS: I don't have a problem.

MR. TORLEY: More paperwork but that is okay.

MR. NUGENT: Then I would suggest include this preliminary and accept a motion to set him him up for a public hearing.

MS. BARNHART: Spell it out in the motion which columns you're using.

MR. TORLEY: Mr. Chairman, I move we set up mans Brothers Realty for a series of variances as follows, requested variance for minimum lot area from B-10 requirement of 20 acres, minimum lot width from B-10 use of 200 feet, B-10 again required front yard of 70 feet, required side yard from B-10 of 90 feet, required total side yard again from B-10 of 175 feet, a building height variance of 13 feet from the A-16 bulk table, and a developmental coverage of 27 percent variance from A-21 bulk table.

MR. KANE: Second the motion.

ROLL CALL

MS. OWEN

AYE

MR. TORLEY	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. NUGENT	AYE

MR. TORLEY: I would need to know how this fits into what the intent of the town of this caretaker's apartment when the town for whatever reason said 20 acres, what they had in mind versus what you want to do and why it should be considered that.

POSSIBLE ZBA REFERRALS:

MANS, CASEY SITE PLAN (95-35) VAILS GATE

Paul Cuomo appeared before the board for this referral item.

MR. LANDER: For what, Paul, where are we?

MR. CUOMO: This is located next to the ambulance corps, not this ambulance corps, naturally.

MR. PETRO: Scott's Clean and Wax.

MR. CUOMO: Scott's Clean and Wax, Five Corners.

MR. PETRO: This is the little house to the north side.

MR. BABCOCK: Maybe I can add some light to this. This plan was in front of the board, not this exact plan was in front of the board and the board made some, made the referral to the ZBA. Since that time, we have had several discussions about some change in some ideas you guys suggested, you didn't really like the mobile home back there for the office so he has made some modifications to this plan and taken that mobile home out and he is going to make the office in the garage area. So when Paul showed up at the zoning board, I suggested that this is not the plan that was referred from you gentlemen to the zoning board, he had to come back here for a new referral so maybe you can just highlight some of the changes you made so the board can understand.

MR. CUOMO: We did make some changes, this is a better print, one of the changes we took the garage and made it an office and we put a walkway from the main building to the garage which will be an office now and then we took the upstairs is going to have a couple dormers in it which will allow a caretaker apartment.

MR. PETRO: Upstairs only?

MR. CUOMO: Upstairs only.

MR. PETRO: What's downstairs in the main house?

MR. CUOMO: That will be an office.

MR. PETRO: Office here so two offices?

MR. CUOMO: Well, one office but it will be one office.

MR. PETRO: I'm sure it will be two offices but we'll look at it as one office.

MR. CUOMO: I don't know what Casey's going to do about it.

MR. PETRO: Might be 15 offices.

MR. CUOMO: Knowing my client, I don't know. So now in the back there we have got a big, a large, well, we have got a handicapped parking and four spaces, spaces for upstairs and for the caretaker, caretaker needs the spaces and the office needs three spaces.

MR. PETRO: Are you going for a variance for parking also? What's the variances you're trying to receive?

MR. CUOMO: There's two bulk tables on this site, this is sort of, though it's possible to do, we have two bulk tables here and what we're going for is--

MR. PETRO: Lot area.

MR. CUOMO: Yeah, I can't read upside down, lot area, right.

MR. PETRO: Front yard, side yard, both side yards and maximum building height, well, that I can understand.

MR. CUOMO: We have to do that on the caretaker though we need all these, the key one is the lot coverage, that is the one that got in trouble with the zoning board.

MR. PETRO: Why don't we refer him to the zoning board and see what happens there.

MR. KRIEGER: It's an allowed use.

MR. CUOMO: Yes, this is an allowed use everything's allowed.

MR. EDSALL: I just wanted to mention one thing, a typographical error that Carmen was astute enough to pick up on comment 1F there is in fact a change in the bulk tables they are going lot coverage is going from 41 to 37, it is a decrease, comment has the numbers reversed but it is in fact those two numbers and it is as is, a decrease.

MR. CUOMO: Motion to approve.

MR. DUBALDI: I will make a motion to approve the Mans Vails Gate site plan.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board give final approval to the Casey Mans site plan in Vails Gate. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the zoning board to acquire the necessary variances that you may need. Once you have received those variances you can then appear before this board again to continue with this site plan. Thank you.

RESULTS OF P.B. MEETING

DATE: January 8, 1977

PROJECT NAME: 95-35 PROJECT NUMBER 95-35

\*\*\*\*\*

LEAD AGENCY: \_\_\_\_\_ NEGATIVE DEC: \_\_\_\_\_

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_

CARRIED: YES \_\_\_ NO \_\_\_ CARRIED: YES: \_\_\_ NO \_\_\_

\*\*\*\*\*

PUBLIC HEARING: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_

WAIVED: YES \_\_\_ NO \_\_\_

SEND TO OR. CO. PLANNING: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ YES \_\_\_ NO \_\_\_

SEND TO DEPT. OF TRANSPORT: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ YES \_\_\_ NO \_\_\_

DISAPP: REFER TO Z.B.A.: M) 1 S) 1 VOTE: A 5 N 0 YES  NO \_\_\_

RETURN TO WORK SHOP: YES \_\_\_ NO \_\_\_

APPROVAL:

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ APPROVED: \_\_\_\_\_

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ APPR. CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: YES \_\_\_ NO \_\_\_

DISCUSSION/APPROVAL CONDITIONS: \_\_\_\_\_

Considered Dept. - Sign Permit?  
Carman to a - ~~start~~!



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** MANS-VAILS GATE ANNEX SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 70-BLOCK 1-LOT 3  
**PROJECT NUMBER:** 95-35  
**DATE:** 8 JANUARY 1997  
**DESCRIPTION:** THE APPLICATION PROPOSES A USED CAR SALES AND MOTOR VEHICLE AND RECREATIONAL VEHICLE SALES AND STORAGE. IN ADDITION, OFFICE AND CARETAKER RESIDENCE USES ARE PROPOSED FOR THE BUILDING, WHICH IS BEING MODIFIED.

1. This application was before the Board during late 1995 and was referred to the Zoning Board of Appeals during January 1996. The Applicant has returned to the Planning Board at the direction of the ZBA since this plan (that is now proposed) differs from that plan previously forwarded by the Planning Board.

The Applicant's Engineer should provide a detailed explanation of the changes to the plan, which should include the following (based on my review):

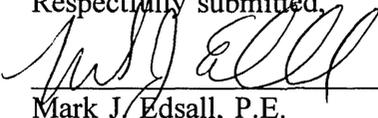
- a. The project now includes joining the existing residence with the existing garage to make a single structure.
- b. In addition, the garage will now be office area and the first floor of the former residence will be a car sales office, with the caretaker apartment on the second floor.
- c. The previously depicted trailer office has now been deleted.
- d. The parking lot layout has been revised.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 2**

**REVIEW NAME:** MANS-VAILS GATE ANNEX SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 70-BLOCK 1-LOT 3  
**PROJECT NUMBER:** 95-35  
**DATE:** 8 JANUARY 1997

- e. The previously depicted chain link fence across the drive (behind the former garage) has been deleted.
  - f. The plan indicates that the development coverage for the lot has decreased from 37% to 41%.
2. The Board should review these revisions with the Applicant and his Engineer and consider a new referral to the Zoning Board of Appeals.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:MANS2.mk

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

#1 ZBA 1-22-96  
SET UP FOR P/H

#2 ZBA 2-24-97  
SET UP FOR P/H

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 95-35

DATE: 3 JAN 96

APPLICANT: MAN'S BRO'S REALTY INC

REVISED  
20 FEB 97

P.O. BOX 247

VALES GATE NY 12584

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 DEC 95

FOR (~~SUBDIVISION~~) - SITE PLAN) \_\_\_\_\_

LOCATED AT SOUTH SIDE RT 94 150' WEST OF

ROUTE 300 ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 70 BLOCK: 1 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: INTERPERTATION AND/OR

VERIFICATION OF USES AS A-16, B-10 AND POSSIBLY A-21.

BASED ON BULK SHOWN AREA TYPE VARIANCES AS NOTED,

~~VARIANCE FOR LIVING QUARTERS SEPARATE FROM PERMITTED~~

~~COMMERCIAL BUILDING.\*~~

\* IF IT IS DETERMINED THAT A-21 USE IS  
PROPOSED, ADDITIONAL VARIANCES MAY BE REQ'D.  
- AS NOTED -

MARK EDGILL PS FR  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

gjk  
2/20/97

REQUIREMENTS	PROPOSED OR AVAILABLE			VARIANCE REQUEST *					
	ZONE C	USE	A-16		B-10	A-21			
MIN. LOT AREA			80000	20 ACRES	5A	27,921 SF	52,079 SF	19,359 A	4.36 A
MIN. LOT WIDTH			200	300	200	100	100 FT	200 FT	100 FT
REQ'D FRONT YD			60	100	100	30	30 FT	70 FT	70 FT
REQ'D SIDE YD.			30	100	50	10	20 FT	90 FT	40 FT
REQ'D TOTAL SIDE YD.			70	200	100	25	75 FT	175 FT	75 FT
REQ'D REAR YD.			30	100	50	200	—	—	—
REQ'D FRONTAGE			N/A	100	50	100	—	—	—
MAX. BLDG. HT. 6% =			5 FT	18	18	18	13 FT	—	—
FLOOR AREA RATIO			0.7	N/A	N/A	0.06	—	—	—
MIN. LIVABLE AREA			N/A	750	N/A	> 750	—	—	—
DEV. COVERAGE			N/A	20 %	10	37 %	—	17 %	27 %
O/S PARKING SPACES			3	2	—	5	—	—	—

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
 (914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

MANS BROTHERS REALTY INC.

MR. NUGENT: Referred by Planning Board for conversion of garage to office, use of house for caretaker, plus 19,359 s.f. lot area, 200 ft. lot width, 70 ft. front yard, 90 ft. side yard, 175 ft. total side yard and 21% developmental coverage on south side of Route 94 adjacent to former ambulance building in C zone.

Mr. Paul Cuomo and Alan Goodman, Esq. appeared before the board for this proposal.

MS. BARNHART: Previous maps are a site plan that you submitted last year, I can assume that is not, we're not using that now, right?

MR. CUOMO: No, I have a new map.

MR. NUGENT: You're on.

MR. CUOMO: Okay, if you want to introduce yourself.

MR. GOODMAN: I am Alan Goodman, I'm the attorney for Mans Brothers.

MR. CUOMO: We have been here before, I don't know if you remember us. We had a trailer the last time that you people I don't think approved of, didn't like it.

MS. BARNHART: This is the property on--

MR. REIS: Right next door to the ambulance building.

MS. BARNHART: Yeah, Route 94.

MR. CUOMO: We have taken the trailer out.

MR. GOODMAN: We're going to take the trailer out and we're going to convert the garage into an office and move the parking spaces in the back where the trailer once was.

MR. CUOMO: It's the same application, except for the trailer and we have enlarged the garage, before we just, the garage is going to go to an office and we're

going to have a way of getting back and forth between the office between that area and then we added more parking spaces to take up the fact that the garage is now longer two parking spaces. I think it's a big improvement over what we had before.

MR. TORLEY: Now the developmental coverage comes from the blacktopping?

MR. CUOMO: Yeah, we might have to adjust that figure.

MR. NUGENT: What are they allowed, Mike?

MR. BABCOCK: Twenty percent.

MR. NUGENT: And he's got 21, that is what he is asking for, right?

MR. BABCOCK: I'm going to, according to his tables--excuse me, there's two different ones.

MR. CUOMO: I didn't finish, the bulk table, there's two bulk tables here, one is for the office area and one's for the caretaker's apartment above the office which would be in the main building here, caretaker's apartment.

MR. BABCOCK: He's allowed 20 percent, he's asking for 41 percent so he needs a 21 percent variance.

MR. TORLEY: I'm having trouble, this is the total lot area?

MR. CUOMO: That is the total area.

MR. TORLEY: You're saying you have 41 percent coverage, this is way less than 41 percent here, what's the other coverage that you are talking about?

MR. CUOMO: Well, this whole thing is going to be covered.

MR. TORLEY: This is the total lot, this is much less than 41 percent of that total area so where is the rest of the developmental coverage going and what is it?

MR. CUOMO: Well--

MR. BABCOCK: It's, the blacktop and everything else, Larry.

MR. TORLEY: Okay.

MR. CUOMO: Well, we have got shale there.

MR. BABCOCK: No, shale doesn't, but from where the lines are slashed in the new blacktop parking lot from there basically to 94 is completely covered.

MR. CUOMO: No, there's nothing there that got changed, we may have to make an adjustment on that coverage, okay, would you let me do that, make an adjustment on the coverage?

MR. BABCOCK: That 41 percent was with this drawing.

MR. CUOMO: That was with the obsolete drawing, my client decided to make a change and that is--

MR. BABCOCK: Paul, we don't have the, is that the new plan?

MR. CUOMO: No.

MR. REIS: Paul, is this fairly accurate what you're trying to accomplish here?

MR. CUOMO: Yes.

MR. TORLEY: So we can accept this as the new plan, you have got a copy, this is the one you have got?

MR. NUGENT: Well, the application is incorrect, application that we got is incorrect.

MR. BABCOCK: When we did the referral to the ZBA, we referred it based on this plan.

MR. CUOMO: So we have to go back to the planning board.

MR. BABCOCK: When you came to this, you came to the board with this plan based on this referral and now they have set you up for a public hearing and you have changed things so we really need to go back and make a new referral to correct the paperwork.

MR. NUGENT: Just comes back here, not back to the planning board.

MR. BABCOCK: Well, I think there's some changes, I think he probably should, you know, the amount of changes.

MR. CUOMO: The only change is the parking lot.

MR. BABCOCK: Well, you're removing the trailer.

MR. KRIEGER: Basically, he has a problem with each board, the problem with this board is relatively easy to resolve but the problem he's still left with is the planning board set him up for a public hearing on this old application, which is now defunct, so if he got a variance here what he got from this board won't mesh with the planning board. That is problem number 2 making it mesh.

MR. BABCOCK: The referral from the planning board is based on what you showed them.

MR. CUOMO: So we'll go back.

MR. BABCOCK: You really should then we can do a new referral based on that and the numbers would be right.

MR. CUOMO: No problem.

MR. BABCOCK: I didn't realize you had a new plan.

MR. KRIEGER: And if you got variances, they would mesh with what you're doing in front of the planning board and you won't have a new problem when you went back there that they don't fit.

MR. CUOMO: See, Mark did look this over and he said it

was okay for us to go to the, to come here without the trailer, that was the deal.

MR. BABCOCK: That is really your major change, but you have changed a lot of numbers eliminating the trailer.

MR. NUGENT: Change the developmental coverage is major looks like to me.

MR. BABCOCK: You know what you can do, Paul, is well you probably can get to a workshop before planning board, if Mark has no problem changing this, I just think that the planning board said we refer you to the zoning board based on this plan, you have changed the plan considerably, I think you really should because you're going to go back to the planning board and they are going to say--

MR. CUOMO: I will go to the workshop.

MR. BABCOCK: Yeah, go to the workshop, see what Mark says.

MR. CUOMO: No problem.

MR. BABCOCK: At least get the numbers correct.

(95-35) MANS, CLARENCE SITE PLAN - RT. 94

Paul Cuomo from Cuomo Engineering appeared before the board for this proposal.

MR. PETRO: Is this the little tiny house between Greer and the old ambulance building?

MR. CUOMO: Yeah, that is right, that is the little house, this little building is next to the old ambulance building. The ambulance people moved, as you well know. They are over here in the site on the municipal property here. But this house is still here next door and then there's a garage and then we have a trailer back here and what we want to do, what we'd like to do is to convert this trailer into an office. The house would have to come under caretaker status in other words it would be a caretaker house because zoning considerations here are such as you can see I have got two blocks of zoning and one of the things that if we jump down into a caretaker house is we have to have the various things.

MR. VAN LEEUWEN: Who's in the trailer now, somebody living in the trailer?

MR. CUOMO: Nope, not in the trailer. Yes, somebody's living in the trailer right now but we plan to put an office there.

MR. PETRO: Paul, this trailer is a regular mobile home, it's not a--

MR. CUOMO: Shouldn't call it a trailer, it's a mobile home.

MR. PETRO: It's not a trailer that is on the back of and 18 wheeler or something?

MR. CUOMO: No, no, it's a regular mobile home. We'll either put it on the slab or we'll put footings.

MR. VAN LEEUWEN: How long has it been there?

MR. CUOMO: How long, I don't know, how long, how long has it been there?

MR. MANS: About eight or ten years, somewhere in that area.

MR. CUOMO: Be there eight or ten years, somebody lives in it. But we want to, well, anyway, this lot as I said we want to make an office here and then this back lot would be for sales storage of vehicles for sale, this is an exhibit to Vails Gate Rentals, so this is going to be a business lot and it is a business zone. The only thing that I got, I got a problem with this house, you can't have a house in a business zone but we're going to make it a caretaker apartment and therefore, we jump down to here and Mark, correct me, but this is real complicated, we got a 20 acre requirement here.

MR. LANDER: Need a special permit for this, Mr. Chairman.

MR. EDSALL: You need a variance and if they are successful with that, they need a special use permit.

MR. PETRO: Caretaker's apartment in the commercial zone?

MR. LANDER: So they need to go to zoning. He's looking for a yes so he can go to zoning board.

MR. CUOMO: I'm looking for a trip to the zoning board, not a trip to where you'd like me to go but I'm looking for a trip to the zoning board.

MR. VAN LEEUWEN: So two of these three buildings are going to be used for tenants, is that correct?

MR. VAN LEEUWEN: What about the garage?

MR. CUOMO: The garage is going to stay, the tenant will be the caretaker.

MR. VAN LEEUWEN: And the office in the back is also a mobile home which somebody is going to live in.

MR. CUOMO: No, we're going to convert that to an office.

MR. LANDER: What's the office going to be for?

MR. CUOMO: What is it going to be for, for the business, for the trailer for the Vails Gate Rentals, it's going to be a business.

MR. PETRO: What's the nature of the business?

MR. CUOMO: What's the nature of the business?

MR. MANS: Vails Gate Rentals and Power Equipment, it's recreational vehicles.

MR. PETRO: Headquarters or office will be in the trailer, what would the garage area be used for?

MR. MANS: Garage belongs to the house.

MR. CUOMO: Belongs to the caretaker.

MR. LANDER: You're on the other side of the Honda shop on the other side of Greer, right?

MR. MANS: Right.

MR. CUOMO: Greer just came in there, Greer used to be--what was Greer before that, he was my client before.

MR. EDSALL: Central Gate Home Improvement.

MR. PETRO: Paul, clarify now the lined area that you have all the lines going through is that what you're using for the business?

MR. CUOMO: Yes, that is right, this will be all blacktopped, this is new blacktopped the lined area is all new blacktop.

MR. PETRO: There's no display out by the road, there's no space for display.

MR. CUOMO: No, the space is to get in and out to the business, see where my pointer is going, see you come in here and the curbs are all already in courtesy of New York State Department of Public Works.

MR. PETRO: So the driveway's going to be servicing the garage where garage and the business is?

MR. CUOMO: Right, that is right, the garage, the guy will park, come straight in, the business you'll turn and come in the back.

MR. LANDER: Can you tell me what the width is between the curb and the property line in the front?

MR. CUOMO: Yeah, that is 12 feet. What have I got, 11 feet, I'm sorry, you mean this little where we're going to, people are going to go out that way?

MR. LANDER: Right.

MR. CUOMO: Now over here is Greer and then we own 12 feet of that or Casey owns it, I don't own it.

MR. KRIEGER: Paul, where is the sign going to be?

MR. CUOMO: The sign for the business?

MR. KRIEGER: I assume the business is going to have a sign, yeah.

MR. CUOMO: I don't know, are we going to have a sign?

MR. MANS: It's going to be out near the curb, just inside.

MR. CUOMO: We'll have to have it.

MR. PETRO: We have to plot it on the map, we can attend to that when we come back from the zoning.

MR. VAN LEEUWEN: I make a motion to approve.

MR. STENT: I second Mr. Van Leeuwen's motion.

MR. BABCOCK: One thing I think we should discuss is the office trailer in a commercial zone, this board has the power to approve an office trailer for not more than six months duration. So I think you should discuss that and further send that to the zoning board for a variance also.

MR. PETRO: Variance meaning what, for further, longer than six months?

MR. BABCOCK: Well, the office, yeah, well I would, I'm only--

MR. VAN LEEUWEN: We can only give him permission for six months.

MR. VAN LEEUWEN: Have you been inspecting that trailer back there?

MR. BABCOCK: No but there has been inspectors back there that is--

MR. PETRO: So you are requesting when it goes to the zoning board maybe they can give an indefinite period.

MR. BABCOCK: I think this board should discuss that, I'm not sure of any other way to do that. He needs a variance of that section of the code that says he can only keep it there for six months.

MR. EDSALL: Just add that to the list of referrals.

MR. KRIEGER: I'd suggest that you do that.

MR. VAN LEEUWEN: Is it on a permanent foundation or just sitting on the ground?

MR. CUOMO: We're willing to put it on permanent foundation.

MR. MANS: Slab or foundation, he mentioned slab, I think before slab would be.

MR. PETRO: Put a skirt around it, add it to the list.

MR. LANDER: Well, he still has to get a special permit for the caretakers thing, so we can incorporate that if we want to.

MR. KRIEGER: As long as it is a trailer then this board has only power the limit, it's power to give him six months presumably he wants more than six months then this board doesn't have the power to vary that requirement.

MR. LANDER: If he gets it for a year, he can come back in a year and reapply.

MR. KRIEGER: Well, he may apply for variances from the zoning board and then it would be up to that board what they want.

MR. LANDER: How long of a duration should that be?

MR. KRIEGER: Yes, under what conditions they grant it.

MR. BABCOCK: I just want to make sure that this applicant gets all the variances that are necessary, that is all while he's there one time.

MR. LANDER: My opinion is that I'm only one person here but my opinion we're giving a special permit for the caretakers, I think it should be limited on that trailer to a year, two years, he has to come back in then if there's a problem, then we can deal with it.

MR. PETRO: Make it like two years, so we don't have to, once a year might be too much, why don't we put a limit, our recommendation would only go up to two years.

MR. BABCOCK: You can do that on the special permit.

MR. PETRO: No, on the duration.

MR. EDSALL: That is a zoning board action, they are going to decide if they want to give him six months, a year, two years.

MR. KRIEGER: What the chairman suggested it would be a recommendation.

MR. PETRO: Recommendation that the maximum be two years and then it would come for review, same as a special permit and at that time we can give another two years on this particular application.

MR. EDSALL: It's in the minutes that when the ZBa reads the minutes, they'll get the board's desire.

MR. PETRO: Usually have some control over it.

MR. LANDER: I'd like to go to this site.

MR. PETRO: We can do that when they come back. Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Mans Vails Gate site plan on Route 94. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	NO
MR. STENT	NO
MR. LANDER	NO
MR. DUBALDI	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been recommended to the New Windsor Zoning Board for the necessary variances. Once you have acquired them, you can call our office and be put on the next available agenda. Thank you.

MR. CUOMO: Thank you.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
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**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** MANS-VAILS GATE ANNEX SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 94  
 SECTION 70-BLOCK 1-LOT 3  
**PROJECT NUMBER:** 95-35  
**DATE:** 13 DECEMBER 1995  
**DESCRIPTION:** THE APPLICATION PROPOSES USED CAR SALES AND  
 MOTOR VEHICLE AND RECREATIONAL VEHICLE SALES  
 AND STORAGE. IN ADDITION, A CARETAKER RESIDENCE  
 IS PROPOSED. THE APPLICATION WAS REVIEWED ON A  
 CONCEPT BASIS ONLY.

1. The project is located within the Design Shopping (C) Zoning District. The application would appear to include Uses A-16 and B-10. In addition, Use A-21 may be involved. Bulk table values are included on the plan for Uses A-16 and B-10. The "required" values appear correct, although the B-10 Use Table should include the minimum livable area requirement.

Based on a review of these bulk requirements, it appears that numerous area type variances would be required. As well, relative to Use B-10, a variance may be required since the living quarters would not be within a permitted commercial building (but rather be in a separate residential building).

2. At this time, I recommend that the Planning Board refer this application to the Zoning Board of Appeals for necessary review and action. At such time that the Applicant receives all the necessary variances for the proposed use, further technical review of the site plan can proceed.
3. For future reference, I am hereby advising the Planning Board that it is my belief that this site is one which is appropriate for the scheduling of a field review. This could occur following the Applicant's return from the Zoning Board of Appeals.

Respectfully submitted,

Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk  
A:MANS.mk



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD MEETING  
TOWN HALL  
WEDNESDAY, DECEMBER 13, 1995 - 7:30 P.M.

## TENTATIVE AGENDA

Call to Order  
Roll Call

~~Silver Stream Mobile Home Park Annual Review~~

### REGULAR ITEMS:

- ~~LEAD AGENCY + NEG DEC.~~ 1. (95-24) DORI ASSOCIATES SITE PLAN - Rt. 9W (Barger)
- ~~WAVE P/H - APPROVED SUBJECT TO~~ 2. (95-26) ARGENIO SUBDIVISION - Station Rd. (Powell)
- ~~NEG DEC~~ 3. (95-33) LUJAN SUBDIVISION - McNary Lane (Caldiero)
- ~~SET UP FOR P/H~~ 4. (95-34) INSUL-SASH SITE PLAN - Rt. 300 (Witfield)
- ~~NEED A LETTER FROM TOWN CLERK'S OFFICE ABOUT ROAD~~ 5. (95-35) MANS, CLARENCE SITE PLAN - Rt. 94 (Cuomo)
- ~~GO TO ZBA~~ 6. (95-36) SLADEWSKI/RUSSELL/SPECHT LOT LINE CHANGE  
Lake Road (Whitaker)
- ~~GO TO ZBA~~
- ~~LEAD AGENCY~~
- ~~SET UP FOR P/H~~

### DISCUSSION:

- ~~7. PRICE CHOPPER Rt. 300 & Rt. 94 Location~~

### CORRESPONDENCE:

- APPROVED 8. C & R ENTERPRISES - Request for 6 month extension of preliminary approval
- APPROVED 9. FOX RIVER SUB. - (90-18) Request for 90 Day extension of final approval

Adjournment

(NEXT MEETING - DECEMBER 27, 1995)

#1 ZBA 1-22-96  
SET UP FOR P/H

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 95-35 DATE: 3 JAN 96

APPLICANT: MAN'S BROS REALTY INC  
P.O. BOX 247  
VAILS GATE NY 12584

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 DEC 95

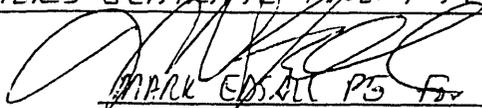
FOR (~~SUBDIVISION~~) - SITE PLAN

LOCATED AT SOUTH SIDE RT 94 150' WEST OF  
ROUTE 300 ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 70 BLOCK: 1 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: INTERPERTATION AND/OR  
VERIFICATION OF USES AS A-16, B-10 AND POSSIBLY A-21.  
BASED ON BULK SHOWN AREA TYPE VARIANCES AS NOTED,  
VARIANCE FOR LIVING QUARTERS SEPARATE FROM PERMITTED  
COMMERCIAL BUILDING.\*

\* IF IT IS DETERMINED THAT A-21 USE IS  
PROPOSED, ADDITIONAL VARIANCES MAY BE REQ'D.

  
MARK EDGALL PS For  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

REQUIREMENTS				PROPOSED OR AVAILABLE	VARIANCE REQUEST *	
ZONE	USE	A-16	B-10		A-16	B-10
MIN. LOT AREA	C	80000	20 ACRES	27,921 SF	52,079 SF	19,359A
MIN. LOT WIDTH		200	300	100	100 FT	200 FT
REQ'D FRONT YD		60	100	30	30 FT	70 FT
REQ'D SIDE YD.		30	100	10	20 FT	90 FT
REQ'D TOTAL SIDE YD.		70	200	25	45 FT	175 FT
REQ'D REAR YD.		30	100	200	—	—
REQ'D FRONTAGE		1/2	100	100	—	—
MAX. BLDG. HT. 6 FT =		5 FT	18	18	13 FT	—
FLOOR AREA RATIO		0.7	1/4	0.06	—	—
MIN. LIVABLE AREA		1/4	750	> 750	—	—
DEV. COVERAGE		1/4	20 %	41 %	—	21 %
O/S PARKING SPACES		3	2	5	—	—

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
 (914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

B.2

RECEIVED JAN 1 8 1996

ZONING BOARD OF APPEALS  
REORGANIZATIONAL MEETING  
January 22, 1996

AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes of 12/11/95 as written if available.

PRELIMINARY MEETING:

*SET UP FOR P/H*

*3.5 FT*

1. KIM, SUNG HWAN - Request for ~~4.5~~ ft. x 33 ft. sign area variance for facade sign at 323 Windsor Highway (Sugar Peas) in a C zone. Present: Mr. Hahn of Space Sign Co. (45-1-40.23).

*SET UP FOR P/H*

~~Handwritten mark~~  
(PB)

2. PETRO METALS INC. - Referred by Planning Board. Applicant proposes construction of two buildings as follows: Request for 9 ft. side yard variance for gymnasium, 7 ft. 0 in. max. building height variance for retail building, 25 ft. 0 in. max. building height variance for gymnasium, plus interpretation and/or use variance as to whether or not the proposed gymnasium falls into the C zone under use, and interpretation and/or area variance regarding required gymnasium parking on w/s of Windsor Highway/Willow Lane in C & PI zones. Present: Greg Shaw, P.E. (35-1-43).

✓

*SET UP FOR P/H*

(PB)

3. INSUL-SASH - Request for 26 ft. front yard (Wembly Rd.) and 16 ft. 0 in. maximum bldg. height variances for construction of a commercial building on west side of Rt. 300 at Wembly Road in a PI zone. Present: Don Witfield (4-3-17.4).

*SET UP FOR P/H*

~~Handwritten mark~~  
(PB)

4. MANS BROS. REALTY INC. - Referred by Planning Board. Request for interpretation and/or verification of uses as A-16, B-10 and possibly A-21 to convert trailer to office for Vails Gate Rental, use of house for caretaker, plus lot area, lot width, front yard, side yard, total side yard, maximum bldg. height, and developmental coverage on s/s of Route 94 adjacent to former ambulance bldg. in C zone. Present: Paul V. Cuomo, P.E. (70-1-3).

✓

PUBLIC HEARING:

- ✓ <sup>APPROVED</sup> 5. LANGANKE, HERB - Request for 4 ft. side yard and variation of Sec. 48-14A(4) of Supplementary Yard Regulations which states that no building shall project nearer to street than principal building, located at 25 Steele Road in a PI zone. (4-1-65).
- ✓ <sup>APPROVED</sup> 6. MYLONAS, CHRIS & GLORIA - Request for construction of 6 ft. fence between principal bldg. and street in variance of Sec. 48-14C(1)(c)(1) of Supp. Yard Regs. at residence, 216 Shore Drive in an R-4 zone. (62-7-48).
- ✓ <sup>DISAPPROVED</sup> 7. DIGERATU, MIRCEA - Request for 40 ft. rear yard and 240 s.f. minimum livable area to convert a two-car garage to residence located at 241 Beattie Road in an R-1 zone. (51-1-83.12).

REORGANIZE: MOTION FOR CHAIRMAN, V. CHAIRMAN, ETC. FOR 1996.

FORMAL DECISIONS: (1) FRANCAN  
(2) BELLE  
(3) DUBETSKY  
(4) MC CARVILLE

*[Signature]* <sup>APPROVED</sup>  
PAT - 563-4630 (o)  
562-7107 (h)

ZONING BOARD OF APPEALS

Regular Session

December 9, 1996

REVISED AGENDA:

7:30 p.m. - ROLL CALL

Motion to approve minutes of the 11/25/96 meeting as written if available.

PRELIMINARY MEETING:

*(APPROVED)*  
1. PELLEGRINO/HIEMSTRA-Request for use variance for retail sales in an R-1 zone located at 1123 Route 207. (52-1-6).

*SET UP FOR P/H*  
2. PRUDENTI/REED - Request for variation of Section 48-14C(1)(c)(1) to allow existing 5 ft. fence at 76 Guernsey Drive in a CL-1 zone. Fence projects closer to street than the principal building. Present: Bobby Reed, contract purchaser. (80-1-28)

*PLAN HAS CHANGED NEED TO GO BACK TO PLANNING BOARD*  
3. MANS BROS. REALTY INC. - Referred by Planning Board for conversion of garage to office, use of house for caretaker, plus 19,359 s.f lot area, 200 ft. lot width, 70 ft. front yard, 90 ft. side yard, 175 ft. total side yard and 21% developmental coverage on s/s of Rt. 94 adjacent to former ambulance building in C zone. (70-1-3).

PUBLIC HEARING:

NONE

FORMAL DECISION: (1) EACHUS  
(2) MONACO

*APPROVED*

PAT - 563-4630 (O)  
562-7107 (H)

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 95-35

DATE: 3 JAN 96

APPLICANT: MAN'S BROS REALTY INC  
P.O. BOX 247  
VAILS GATE NY 12584

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 DEC 95

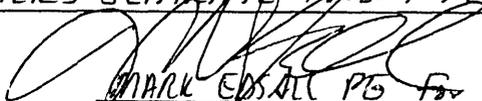
FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

LOCATED AT SOUTH SIDE RT 94 150' WEST OF  
ROUTE 300 ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 70 BLOCK: 1 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: INTERPERTATION AND/OR  
VERIFICATION OF USES AS A-16, B-10 AND POSSIBLY A-21.  
BASED ON BULK SHOWN AREA TYPE VARIANCES AS NOTED,  
VARIANCE FOR LIVING QUARTERS SEPARATE FROM PERMITTED  
COMMERCIAL BUILDING.\*

\* IF IT IS DETERMINED THAT A-21 USE IS  
PROPOSED, ADDITIONAL VARIANCES MAY BE REQ'D.

  
MARK EDSON PG 6  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS	PROPOSED OR AVAILABLE		VARIANCE REQUEST *			
	ZONE <u>C</u> USE	A-16	B-10	A-16	B-10	
MIN. LOT AREA		80000	20 ACRES	27,921 SF	52,079 SF	19,359 A
MIN. LOT WIDTH		200	300	100	100 FT	200 FT
REQ'D FRONT YD		60	100	30	30 FT	70 FT
REQ'D SIDE YD.		30	100	10	20 FT	90 FT
REQ'D TOTAL SIDE YD.		70	200	25	45 FT	175 FT
REQ'D REAR YD.		30	100	200	—	—
REQ'D FRONTAGE		N/A	100	100	—	—
MAX. BLDG. HT. 6' FT =		5 FT	18	18	13 FT	—
FLOOR AREA RATIO		0.7	N/A	0.06	—	—
MIN. LIVABLE AREA		N/A	750	> 750	—	—
DEV. COVERAGE		N/A	20 %	41 %	—	21 %
O/S PARKING SPACES		3	2	5	—	—

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

562-2003  
**MANS BROTHERS REALTY, INC.**

P.O. BOX 247  
RT. 94 AND OLD TEMPLE HILL RD.  
VAILS GATE, NY 12584

2309

29-7003/2213  
24

PAY  
TO THE  
ORDER OF

12/7 19 95  
Town of New Windsor  
Seven hundred fifty

\$ 750<sup>00</sup>/<sub>100</sub>  
DOLLARS



**albany savings bank**  
FSB

Route 32 and Old Temple Hill Road  
Vails Gate, New York 12584

FOR

⑈002309⑈ ⑆221370030⑆ 24 00001547⑈010158

*K G Mans*

562-6003  
**MANS BROTHERS REALTY, INC.**

P.O. BOX 247  
RT. 94 AND OLD TEMPLE HILL RD.  
VAILS GATE, NY 12584

2308

29-7003/2213  
24

PAY  
TO THE  
ORDER OF

12/7 19 95  
Town of New Windsor  
One hundred

\$ 100<sup>00</sup>/<sub>100</sub>  
DOLLARS



**albany savings bank**  
FSB

Route 32 and Old Temple Hill Road  
Vails Gate, New York 12584

FOR

⑈002308⑈ ⑆221370030⑆ 24 00001547⑈010158

*K G Mans*



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

DATE PLAN RECEIVED: RECEIVED JUN 1 8 1999

**RECEIVED**

JUN 21 1999

**N.W. HIGHWAY DEPT.**

The maps and plans for the Site Approval

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved

disapproved

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James Cella 6/21/99  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

1763

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

DATE PLAN RECEIVED: RECEIVED JUN 1 8 1999

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

\_\_\_\_\_ for the building or subdivision of \_\_\_\_\_

Vails Gate Rentals has been

~~reviewed by me and is approved~~

disapproved

If disapproved, please list reason \_\_\_\_\_

Should not interfere with water service

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT      DATE

[Signature] - 6-21-99  
\_\_\_\_\_  
WATER SUPERINTENDENT      DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT      DATE



# TOWN OF NEW WINDSOR

567-9145

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

1763

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

DATE PLAN RECEIVED: RECEIVED JUN 18 1999

The maps and plans for the Site Approval Walt's Gate Rentals  
Subdivision Clarence Mamb as submitted by  
Paul Cuomo for the building or subdivision of  
\_\_\_\_\_ has been

reviewed by me and is approved \_\_\_\_\_,  
disapproved frmedmde.

If disapproved, please list reason \_\_\_\_\_

Establishment of Fire Lanes and Fire Dept  
Access to Front & Rear of property not  
shown.

Paul Cuomo 6/21/99  
FIRE INSPECTOR

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT      DATE

\_\_\_\_\_  
WATER SUPERINTENDENT      DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT      DATE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 95-35

WORK SESSION DATE: 16 JUNE 1999 APPLICANT RESUB. REQUIRED: new plan

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Mans-

PROJECT STATUS: NEW \_\_\_\_\_ OLD X

REPRESENTATIVE PRESENT: PVC/

MUNIC REPS PRESENT: BLDG INSP. \_\_\_\_\_  
 FIRE INSP. Rich  
 ENGINEER X  
 PLANNER \_\_\_\_\_  
 P/B CHMN. \_\_\_\_\_  
 OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

review lighting plan - OK

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- X CLOSING STATUS  
 Set for agenda if plans  
 possible agenda item  
 Discussion item for agenda  
 ZBA referral on agenda

pbwsform 10MJE98



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

DATE PLAN RECEIVED: RECEIVED APR 20 1999

RECEIVED

APR 27 1999

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved

disapproved

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James Sullivan 4/30/99  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-25

DATE PLAN RECEIVED: RECEIVED APR 20 1999

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Vails Gate rentals has been

reviewed by me and is approved L

disapproved

If disapproved, please list reason \_\_\_\_\_

Property has town water -

any changes - notify water dept

\_\_\_\_\_  
\_\_\_\_\_

HIGHWAY SUPERINTENDENT      DATE

Steve D. D. N. - 4-27-99

WATER SUPERINTENDENT      DATE

SANITARY SUPERINTENDENT      DATE

**INTER-OFFICE MEMORANDUM**

**TO: Town Planning Board**

**FROM: Town Fire Inspector**

**DATE: April 27, 1999**

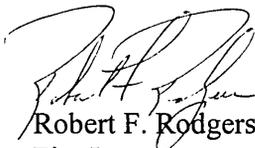
**SUBJECT: Vails Gate Rentals & Power Annex, Inc.**

Planning Board Reference Number: FPB-95-35  
Dated: 20 April 1999  
Fire Prevention Reference Number: FPS-99-019

A review of the above referenced subject site plan was conducted on 26 April 1999.

This site plan is acceptable.

Plans Dated: 4 March 1999 Revision 7.



Robert F. Rodgers; c.c.a.  
Fire Inspector

RFR/dh



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

DATE PLAN RECEIVED: RECEIVED FFB 16 1999

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Vails Gate Rentals \_\_\_\_\_ has been

reviewed by me and is approved

~~disapproved~~ \_\_\_\_\_

If disapproved, please list reason \_\_\_\_\_

Property has town water - any  
changes please notify water dept.

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT      DATE

John D. D. - 2-22-98  
\_\_\_\_\_  
WATER SUPERINTENDENT      DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT      DATE

**INTER-OFFICE MEMORANDUM**

**TO: Town Planning Board**

**FROM: Town Fire Inspector**

**DATE: February 23, 1999**

**SUBJECT: V.G. Rentals & Power Annex Inc.**

Planning Board Reference Number: PB-95-35

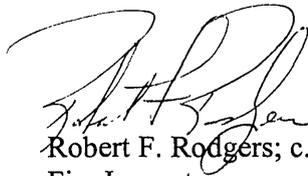
Dated: 16 February 1999

Fire Prevention Reference Number: FPS-99-005

A review of the above referenced subject site plan was conducted on 22 February 1999.

This site plan is acceptable.

Plans Dated: 3 February 1999 Revision 5



Robert F. Rodgers; c.c.a.  
Fire Inspector

RFR/dh



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

FEB 19 1999

DATE PLAN RECEIVED: RECEIVED FFB 1 6 1999

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved

disapproved

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James O'Neil 2/22/99  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- Main Office  
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- Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # 95-35

WORK SESSION DATE: 3 FEB 99

APPLICANT RESUB.  
REQUIRED: new plans

REAPPEARANCE AT W/S REQUESTED: no

PROJECT NAME: Mans sp

PROJECT STATUS: NEW \_\_\_\_\_ OLD X

REPRESENTATIVE PRESENT: PVC

MUNIC REPS PRESENT:

BLDG INSP.	_____
FIRE INSP.	<u>X</u> _____
ENGINEER	<u>X</u> _____
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	_____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- show zone line C/R-4 @ rear ft
- add 30' for side yard // provided X pre-exist non-conf.
- add front yard dimension
- dumpster?
- what is all the pavement used for
- screening, fencing, landscaping, lighting
- need some P/B input

CLOSING STATUS

- \_\_\_\_\_ Set for agenda
- X possible agenda item if plans
- \_\_\_\_\_ Discussion item for agenda
- \_\_\_\_\_ ZBA referral on agenda

pbwsform 10MJE98



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
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- Branch Office  
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Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 9535

WORK SESSION DATE: 21 JAN 98

APPLICANT RESUB.  
REQUIRED: rev plans later

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Mans

PROJECT STATUS: NEW        OLD X

REPRESENTATIVE PRESENT: PVC/Casey

MUNIC REPS PRESENT: BLDG INSP.         
 FIRE INSP.         
 ENGINEER X  
 PLANNER         
 P/B CHMN.         
 OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Rt 94 (gray house)

- discuss fire res't
- need for 20' lanes
- they need to fight it  
cent with layout, then  
see us.
- we can't design for them
- must have adequate emergency access,  
cant block drive to rear.

# MEMO

To: New Windsor Planning Board

From: Town Fire Inspector

Subject: V.G. Rentals & Power Annex Inc.

Date: 5 March 1998

Planning Board Reference Number: PB-95-35

Dated: 5 March 1998

Fire Prevention Reference Number: FPS-98-010

A review of the above referenced subject site plan was conducted on 5 March 1998.

This site plan is acceptable.

Plans Dated: 4 March 1998 Revision 3



Robert F. Rodgers



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

RECEIVED

MAR 05 1998

N.W. HIGHWAY DEPT.

## NEW WINDSOR PLANNING BOARD REVIEW FORM

1763

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

DATE PLAN RECEIVED: RECEIVED MAR - 5 1998

The maps and plans for the Site Approval

Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

\_\_\_\_\_ for the building or subdivision of \_\_\_\_\_

\_\_\_\_\_ has been

reviewed by me and is approved

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

W James Rulla 3/5/98  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

DATE PLAN RECEIVED: RECEIVED MAR 5 1999

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_  
\_\_\_\_\_ for the building or subdivision of \_\_\_\_\_  
\_\_\_\_\_ has been  
reviewed by me and is approved \_\_\_\_\_,  
~~disapproved~~ \_\_\_\_\_.

~~If disapproved, please list reason~~ \_\_\_\_\_

Notifying water dept - if lateral mark-out  
is necessary

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT      DATE

John J. D. - 36-98  
\_\_\_\_\_  
WATER SUPERINTENDENT      DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT      DATE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- Main Office  
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New Windsor, New York 12553  
(914) 562-8640
- Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF NEW WINDSOR P/B # 95-35

WORK SESSION DATE: 4 MAR 98

APPLICANT RESUB.  
REQUIRED: new plan for mtg

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Mans

PROJECT STATUS: NEW \_\_\_\_\_ OLD \_\_\_\_\_

REPRESENTATIVE PRESENT: PVC

MUNIC REPS PRESENT: BLDG INSP. \_\_\_\_\_  
 FIRE INSP. X  
 ENGINEER X  
 PLANNER \_\_\_\_\_  
 P/B CHMN. \_\_\_\_\_  
 OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

add "two story" a "single story"

Get PVC Plan back

next avail agenda  
after submission

A

ZBA referral



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

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 WILLIAM J. HAUSER, P.E.  
 MARK J. EDSALL, P.E.  
 JAMES M. FARR, P.E.

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**TOWN OF NEW WINDSOR  
 PLANNING BOARD  
 REVIEW COMMENTS**

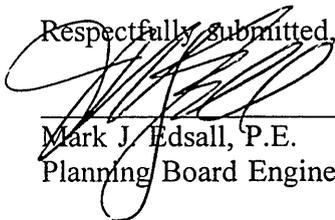
**RE-ISSUED  
 14 JAN 98**

**REVIEW NAME:** MANS-VAILS GATE ANNEX SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 94  
 SECTION 70-BLOCK 1-LOT 3  
**PROJECT NUMBER:** 95-35  
**DATE:** 10 DECEMBER 1997  
**DESCRIPTION:** THE APPLICATION PROPOSES MIXED USES ON THE SITE, INCLUDING USED CAR SALES, RECREATIONAL VEHICLE SALES AND OFFICES. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 8 JANUARY 1997 PLANNING BOARD MEETING.

1. The site plan bulk table provides the bulk requirements for the three use classifications under the "C" Zoning District. Based on this information, several area type variances are required. It is recommended that the Planning Board make a preliminary review of the plan and subsequent to same make a referral to the Zoning Board of Appeals.

Upon return of the application to the Planning Board following ZBA action, I will be pleased to continue my detailed review of the plan.

Respectfully submitted,



Mark J. Edsall, P.E.  
 Planning Board Engineer

MJEmk

A:MANS3.mk

January 14, 1998

6

POSSIBLE Z.B.A. REFERRALS:

MANS, CLARENCE - VAILS GATE ANNEX SITE PLAN (95-35)

MR. PETRO: This is canceled by applicants.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

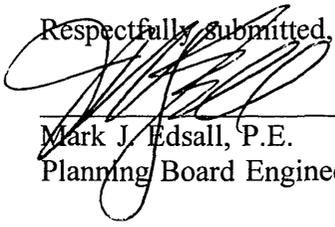
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**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** MANS-VAILS GATE ANNEX SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 70-BLOCK 1-LOT 3  
**PROJECT NUMBER:** 95-35  
**DATE:** 10 DECEMBER 1997  
**DESCRIPTION:** THE APPLICATION PROPOSES MIXED USES ON THE SITE, INCLUDING USED CAR SALES, RECREATIONAL VEHICLE SALES AND OFFICES. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 8 JANUARY 1997 PLANNING BOARD MEETING.

1. The site plan bulk table provides the bulk requirements for the three use classifications under the "C" Zoning District. Based on this information, several area type variances are required. It is recommended that the Planning Board make a preliminary review of the plan and subsequent to same make a referral to the Zoning Board of Appeals.

Upon return of the application to the Planning Board following ZBA action, I will be pleased to continue my detailed review of the plan.

Respectfully submitted,  
  


---

Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:MANS3.mk

POSSIBLE Z.B.A REFERRALS:

MANS, CLARENCE - VAILS GATE ANNEX AMENDED SITE PLAN  
(95-35)

MR. PETRO: Let the minutes show there is no one here at this time. If they do show up, we'll review the application.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., ~~WATER~~, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95 - 35

DATE PLAN RECEIVED: RECEIVED DEC 4 1997

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

\_\_\_\_\_ for the building or subdivision of \_\_\_\_\_

Vails Gate Rentals \_\_\_\_\_ has been

reviewed by me and is approved

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason~~ \_\_\_\_\_

There is town water for this  
property - and is currently being fed.

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT      DATE

Steve D. D.O. - 12-10-97  
WATER SUPERINTENDENT      DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT      DATE



McGOEY, HAUSER and EDSALL  
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**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # 95-35

WORK SESSION DATE: 3 DEC 1997 APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: \_\_\_\_\_

PROJECT NAME: V. Cr. Power Annex

PROJECT STATUS: NEW \_\_\_\_\_ OLD X

REPRESENTATIVE PRESENT: PLC

MUNIC REPS PRESENT:

BLDG INSP.	_____
FIRE INSP.	<u>X</u>
ENGINEER	<u>X</u>
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	_____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Show dimension to front yard
- correct lot width 99' - variance of 10'
- correct front lot # - variance

X  
**POSSIBLE  
APPEAL**  
7.5.1.2.1

need revised plan (corrected)  
for ZBA referral

# MEMO

To: Town Planning Board

From: Town Fire Inspector

Subject: V.G. Rentals & Power Annex, Inc.

Date: 5 December 1997

Planning Board Reference Number: PB-95-35  
Dated: 4 December 1997  
Fire Prevention Reference Number: FPS-97-061

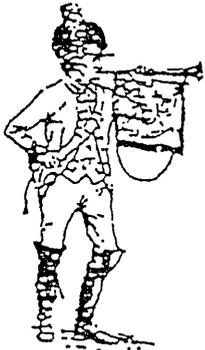
A review of the above referenced subject site plan was conducted on 5 December 1997.

This site plan is approved.

Plans Dated: 1 December 1997.

  
Robert F. Rodgers, C.C.A.  
Fire Inspector

RFR/dh



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

DEC 8 1997

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, ~~HIGHWAY~~

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95 - 35

DATE PLAN RECEIVED: RECEIVED DEC 4 1997

The maps and plans for the Site Approval

Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

\_\_\_\_\_ for the building or subdivision of \_\_\_\_\_

\_\_\_\_\_ has been

reviewed by me and is approved

disapproved

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James Sullivan 12/9/97  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL  
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**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # 95-35  
 WORK SESSION DATE: 5 Nov 97 APPLICANT RESUB. REQUIRED: —  
 REAPPEARANCE AT W/S REQUESTED: Yes  
 PROJECT NAME: Vail Gate Rentals  
 PROJECT STATUS: NEW — OLD —  
 REPRESENTATIVE PRESENT: Phil Schnabel<sup>ESA</sup>; PVC; Casey  
 MUNIC REPS PRESENT: BLDG INSP. —  
 FIRE INSP. X  
 ENGINEER X  
 PLANNER —  
 P/B CHMN. —  
 OTHER (Specify) —

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Sales downstairs / Prof off upstairs } exist bldg
  - all bldg det from R
  - add scale both side yd.; footage; height A-3;
  - verify combined
  - variance (? re ht)
  - Sales' storage of new/used rec and uses motor vehicle
  - rec they look @  $384 + 200 = \text{vehicle sales}$  1
  - $1564 \text{ area not } 1524$   $980 \times 2 = 1960 = 10$
- 4MJE91 pbwsform 200 11

(have only 8.)

show premanf. envelope for cans. 5'000 bldg.



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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B # 95-35

WORK SESSION DATE: 2 Jan 97

APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: \_\_\_\_\_

PROJECT NAME: Mans-VG Annex

PROJECT STATUS: NEW \_\_\_\_\_ OLD \_\_\_\_\_

REPRESENTATIVE PRESENT: PVC

MUNIC REPS PRESENT:

BLDG INSP.	<u>in bldg</u>
FIRE INSP.	<u>X</u>
ENGINEER	<u>X</u>
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	_____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- back from ZBA - changed plans and ZBA said to come back to P/B
- trailer is now gone
- dont evg variance has decreased to 21%
- pkg layout changed
- need dumpster encl.
- verify 5-7' bottom of sign.

needs new P/B referral

Myra set for P/B 1/8/97 mtg.

4MCE91 powerfont



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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 95-35  
 WORK SESSION DATE: 4 Dec 96 APPLICANT RESUB.  
 REAPPEARANCE AT W/S REQUESTED: after ZBA REQUIRED: \_\_\_\_\_  
 PROJECT NAME: Mans.  
 PROJECT STATUS: NEW  OLD \_\_\_\_\_  
 REPRESENTATIVE PRESENT: PVC  
 MUNIC REPS PRESENT: BLDG INSP. Parker Comm  
 FIRE INSP. X  
 ENGINEER X  
 PLANNER \_\_\_\_\_  
 P/B CHMN. \_\_\_\_\_  
 OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Discuss ZBA referral & status

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4MJ91 pbwsform



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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # 95-35  
 WORK SESSION DATE: 6 Nov 96 APPLICANT RESUB. REQUIRED: Yes  
 REAPPEARANCE AT W/S REQUESTED: Yes  
 PROJECT NAME: Man - V.G Annex  
 PROJECT STATUS: NEW \_\_\_\_\_ OLD X  
 REPRESENTATIVE PRESENT: PVC & Casey  
 MUNIC REPS PRESENT: BLDG INSP. VAC  
 FIRE INSP. X  
 ENGINEER X  
 PLANNER \_\_\_\_\_  
 P/B CHMN. \_\_\_\_\_  
 OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- did go to ZBA? PVC doesn't know if he went or not
- Did ZBA act? Casey not sure if they went to ZBA
- Trailer now removed.

Casey's intent plan

garage to be connected to main lly and entire 1<sup>st</sup> floor office and market car sales. Top floor apt.  
4MJE91 pbwsform

Paul needs to find out what status of variances are.



1765

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-35

DATE PLAN RECEIVED: RECEIVED DEC 7 1995

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Vails Gate Rentals \_\_\_\_\_ has been

reviewed by me and is approved

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason~~

Please notify water dept. for location  
of water lines

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT      DATE

Steve D. ... CA 12-12-95  
WATER SUPERINTENDENT      DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT      DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 11 December 1995  
SUBJECT: Vails Gate Rentals

Planning Board Reference Number: PB-95-35  
Dated: 7 December 1995  
Fire Prevention Reference Number: FPS-95-058

A review of the above referenced subject site plan was conducted on 11 December 1995.

This site plan is acceptable.

Plans Dated: Not Dated

*Robert F. Rodgers C.C.A. (mvz)*  
Robert F. Rodgers, C.C.A.  
Fire Inspector

RFR/mvz



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # \_\_\_\_\_ - \_\_\_\_\_

WORK SESSION DATE: 6 DEC 95 APPLICANT RESUB. REQUIRED: Plans

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Mans - Vails Gate Annex

PROJECT STATUS: NEW  OLD \_\_\_\_\_

REPRESENTATIVE PRESENT: Cass, Joe, Paul

MUNIC REPS PRESENT: BLDG INSP. ice rink  
FIRE INSP. X  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- use (A-16) - fix bulk. → need variance
- Pkg calc 2-house
- Q and pkg detail so can be read
- show drainage easement 15'
- property owners for all adjoining prop.
- also (B-10) for caretaker → need variances
- rear area - sales/storage motor vehicles / pic vehicle
- garage for home use
- Q ramp to trailer
- possible variance for permanent trailer use. ok with Mike



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # \_\_\_\_\_ - \_\_\_\_\_  
 WORK SESSION DATE: 1 Nov 95 APPLICANT RESUB. REQUIRED: Yes.  
 REAPPEARANCE AT W/S REQUESTED: Yes  
 PROJECT NAME: Vails Gate Annex  
 PROJECT STATUS: NEW X OLD \_\_\_\_\_  
 REPRESENTATIVE PRESENT: Pvc: Joeh Casey  
 MUNIC REPS PRESENT: BLDG INSP. X  
 FIRE INSP. X  
 ENGINEER X  
 PLANNER \_\_\_\_\_  
 P/B CHMN. \_\_\_\_\_  
 OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Exist 3 struct Exit Home, stay house SFR  
Trailer - make permanent, office  
Garage - stay as residential garage
- Office → propose: 10x50 needs 3 parking spaces  
must make "trailer" accessible
- must show pkg - mfg rec gate behind  
reverse entrance drive (watch vis. driving config)
- bulk needs to be filled out: probably needs variances <sup>bulk</sup>
- drainage easement @ rear
- define what being stored @ rear & what limits
- possible need for variance for use of mobile home  
permanent

4MTE91 pbwsform

- see get caretaker bulk variances if visiting ZBA

## TOWN OF NEW WINDSOR

95-35

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:  
TOWN OF NEW WINDSOR PLANNING BOARD

17 TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Chg. \_\_\_\_\_ Site Plan  Spec. Permit \_\_\_\_\_

1. Name of Project Vails Gate Annex
2. Name of Applicant Clarence P. Meigs Phone 562-6003  
Address PO Box 247 Vails Gate N.Y. 12584  
(Street No. & Name) (Post Office) (State) (zip)
3. Owner of Record HAN'S Brothers Realty Inc Phone 562-6003  
Address PO Box 247 Vails Gate N.Y. 12584  
(Street No. & Name) (Post Office) (State) (zip)
4. Person Preparing Plan Paul V Cuomo (567-0063)  
Address Box 2005 D Street New Windsor N.Y. 12553  
(Street No. & Name) (Post Office) (State) (zip)
5. Attorney Joseph England Phone 562-6844  
Address PO Box 4035 New Windsor NY 12553  
(Street No. & Name) (Post Office) (State) (zip)
6. Person to be notified to represent applicant at Planning Board Meeting Paul V Cuomo Phone \_\_\_\_\_  
(Name)
7. Project Location: On the south side of Route 94 (street)  
150 feet west of Route 300 (direction) (street)
8. Project Data: Acreage of Parcel 100' x 300' <sup>approx</sup> Zone Commercial  
School Dist. Newburgh City Schools
9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y \_\_\_\_\_ N

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 70 Block 1 Lot 3

11. General Description of Project: upgrade the property with blacktop, fencing, etc.

12. Has the Zoning Board of Appeals granted any variances for this property?        yes   X   no.

13. Has a Special Permit previously been granted for this property?        yes   X   no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

7<sup>th</sup> day of December 1995

[Signature]  
Applicant's Signature

[Signature]  
Notary Public

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4984065  
Commission Expires July 15, 1997

\*\*\*\*\*

TOWN USE ONLY:

RECEIVED DEC 07 1995  
Date Application Received

95 - 35  
Application Number

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

CLARENCE P. MANS, deposes and says that he resides  
(OWNER)

at 16 TAMARA LANE CORNWALL in the County of ORANGE  
(OWNER'S ADDRESS)

and State of NY and that he is the owner of property tax map

(Sec. 70 Block 1 Lot 3)  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in

the foregoing application and that he authorizes:

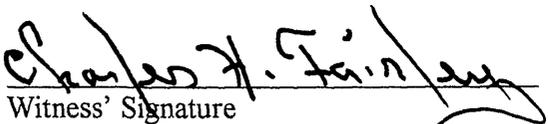
PAUL CUOMO P.E.  
(Applicant Name & Address, if different from owner)

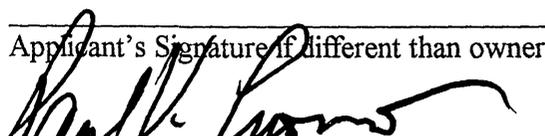
BLDG-704 STEWART AIRPORT N. WINDSOR  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 1-13-98

  
Owner's Signature

  
Witness' Signature

  
Applicant's Signature if different than owner  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED  
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

APPLICANT'S PROXY STATEMENT  
(for professional representation)

for submittal to the  
TOWN OF NEW WINDSOR PLANNING BOARD

Clarence P. Mans, deposes and says that he  
(Applicant)

resides at 16 Tamara Lane Cornwall N.Y.  
(Applicant's Address)

in the County of Orange

and State of New York

and that he is the applicant for the Vails Gate Annex

(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized Paul V. Cuomo  
(Professional Representative)

to make the foregoing application as described therein.

Date: 12/7/95

[Signature]  
(Owner's Signature)

[Signature]  
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF  
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT  
AND/OR OWNER AT THE MEETINGS.

If applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD  
SITE PLAN CHECKLIST

ITEM

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Site Plan Title                  | 29. <input checked="" type="checkbox"/> Curbing Locations                   |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s)              | 30. <input checked="" type="checkbox"/> Curbing Through Section             |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es)          | 31. <input checked="" type="checkbox"/> Catch Basin Locations               |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name        | 32. <input checked="" type="checkbox"/> Catch Basin Through Section         |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address     | 33. <input checked="" type="checkbox"/> Storm Drainage                      |
| 6. <input checked="" type="checkbox"/> Drawing Date                     | 34. <input checked="" type="checkbox"/> Refuse Storage                      |
| 7. <input checked="" type="checkbox"/> Revision Dates                   | 35. <input checked="" type="checkbox"/> Other Outdoor Storage               |
| 8. <input checked="" type="checkbox"/> Area Map Inset                   | 36. <input checked="" type="checkbox"/> Water Supply                        |
| 9. <input checked="" type="checkbox"/> Site Designation                 | 37. <input checked="" type="checkbox"/> Sanitary Disposal System            |
| 10. <input checked="" type="checkbox"/> Properties Within 500' of Site  | 38. <input checked="" type="checkbox"/> Fire Hydrants                       |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10)      | 39. <input checked="" type="checkbox"/> Building Locations                  |
| 12. <input checked="" type="checkbox"/> Plot Plan                       | 40. <input checked="" type="checkbox"/> Building Setbacks                   |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser)      | 41. <input checked="" type="checkbox"/> Front Building Elevations           |
| 14. <input checked="" type="checkbox"/> Metes and Bounds                | 42. <input checked="" type="checkbox"/> Divisions of Occupancy              |
| 15. <input checked="" type="checkbox"/> Zoning Designation              | 43. <input checked="" type="checkbox"/> Sign Details                        |
| 16. <input checked="" type="checkbox"/> North Arrow                     | 44. <input checked="" type="checkbox"/> Bulk Table Inset                    |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners        | 45. <input checked="" type="checkbox"/> Property Area (Nearest 100 sq. ft.) |
| 18. <input checked="" type="checkbox"/> Existing Building Locations     | 46. <input checked="" type="checkbox"/> Building Coverage (sq. ft.)         |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas            | 47. <input checked="" type="checkbox"/> Building Coverage (% of Total Area) |
| 20. <input checked="" type="checkbox"/> Existing Vegetation             | 48. <input checked="" type="checkbox"/> Pavement Coverage (sq. ft.)         |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress        | 49. <input checked="" type="checkbox"/> Pavement Coverage (% of Total Area) |
| <u>PROPOSED IMPROVEMENTS</u>  |   |
| 22. <input checked="" type="checkbox"/> Landscaping                     | 50. <input checked="" type="checkbox"/> Open Space (sq. ft.)                |
| 23. <input checked="" type="checkbox"/> Exterior Lighting               | 51. <input checked="" type="checkbox"/> Open Space (% of Total Area)        |
| 24. <input checked="" type="checkbox"/> Screening                       | 52. <input checked="" type="checkbox"/> No. of Parking Spaces Prop.         |
| 25. <input checked="" type="checkbox"/> Access & Egress                 | 53. <input checked="" type="checkbox"/> No. of Parking Spaces Req.          |
| 26. <input checked="" type="checkbox"/> Parking Areas                   |   |
| 27. <input checked="" type="checkbox"/> Loading Areas                   |   |
| 28. <input checked="" type="checkbox"/> Paving Details<br>(Items 25-27) |   |

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54. WA Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
55. WA A Disclosure Statement, in the form set below must be inscribed on all site plan maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

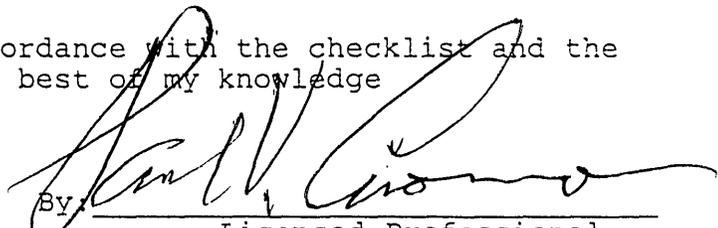
"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the applicant. the Town of Ne Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with the checklist and the Town of New Windsor Ordinances, to the best of my knowledge

By: 

Licensed Professional

Date: Dec 7 1995

PROJECT I.D. NUMBER

617.21

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

95-35  
"XX"  
RECORDED 1995  
SEQR

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <i>Clarence P Mans</i>		2. PROJECT NAME <i>Vails Gate Annex</i>	
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>S/B/L 70/1/3 150 feet west of Route 308 on the south side of Route 94</i>			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: <i>Upgrade the property with blacktop, fencing, etc</i>			
7. AMOUNT OF LAND AFFECTED: Initially <i>102 x 300</i> acres Ultimately _____ acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>2 BA approval will be sought - too lot size variation</i>			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: _____		Date: _____	
Signature: <i>[Signature]</i>			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 8 NYCRR, PART 817.127 If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 8 NYCRR, PART 817.87 If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

\_\_\_\_\_  
 Name of Lead Agency

\_\_\_\_\_  
 Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
 Title of Responsible Officer

\_\_\_\_\_  
 Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
 Signature of Preparer (if different from responsible officer)

\_\_\_\_\_  
 Date

ECC1824

"XX"

RECEIVED DEC 07 1995

95 - 35

## ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance

95-35

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

Job is not in  
flood plain

12/7/95  
Paul A. Cuomo